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ORIGINAL LETTERS FROM EUROPE. No. 5.

Pozzuoli...the Solfaterra...Monte Nuovo...Lake of Avernus...Ruins of Baiae...Baths of Nero...Cave Misenum...Elysian fields.

I MUST carry you once more through the grotto, to see the environs of Pozzuoli, abounding with various interesting objects. It is necessary to leave the carriage at Pozzuoli, and take a mule or a boat, according to the object you have in view.

Pozzuoli is a small town, about five miles from Naples ; it is at present a place of little consequence, though the ruins of its ancient edifices attest its former importance. As the works of nature demand precedence of those of art, I shall give you some account of the valley of Solfaterra, situated about a mile from the town. After ascending gradually the greater part of a mile, the road descended a little and entered the valley. This is an ancient volcanick crater, about half a mile in circumference. The bottom is composed principally of sulphur in a crude state. If you take up a stone and let it fall upon the ground, the hollow sound which is returned is a proof of the cavity beneath, and makes you tremble at your situation. It is surrounded by rugged rocks, except at the entrance, which exhibit the action of fire to which they have been exposed, and in many different places the smoke is seen climbing up their

summits. At the extremity of the valley a building is erected for making allum ; and the boilers are heated by the natural fire of the place. The hot vapour and steam here issue through the crevices with violence and noise. To one unused to these scenes these workmen did not appear in a safe situation ; but habit subdues fear, and the workmen have no more idea of danger than if they were working at a common fire. I saw many beautiful specimens of native sulphur, and many cristalizations of sulphur and nitre ; but they are so liable to be destroyed by the moisture that I did not think it worth while to bring them away.

In the neighbourhood of Pozzuoli are the ruins of an ancient amphitheatre of great extent. Two stories of it yet remain. In a garden in the town, an ancient temple was discovered a few years since, beneath the surface of the earth. Excavations were made by order of the court, and the temple was cleared of the dirt and rubbish in which it was buried ; all the moveable objects were transported to the museum at Portici. The antiquarians have decided that it was dedicated to Jupiter Serapis. The external walls were square, and

against them are a number of small chambers, twelve or fifteen feet square, destined to the priests. The altar in the centre was encircled with superb granite columns, the greater part of which are thrown down. The temple was formerly filled with water to the height of seven or eight feet, and the lower part of these columns present the same appearance as a piece of wood which has been, in the sailor's phrase, *honey-combed*. The worms have bored holes in the granite four or five inches in depth, some of them big enough to insert a finger. When it is considered that granite is one of the hardest species of stones, these holes must certainly be esteemed a singular curiosity.

After seeing the ruins about Pozzuoli, I took a boat to cross over to the coast of Baiae. Some ruined piers which project into the harbour, are vulgarly called the Bridge of Caligula, but are supposed to be the ruins of the ancient mole. I landed near Monte Nuovo, which is on the edge of the water between Pozzuoli and Baiae. This mountain is about a mile in circumference, and two hundred feet perpendicular. It rose up on the night of the 29th of September, 1538, after a succession of earthquakes. It buried a village and separated the lake of Avernus. Its surface is barren, producing only a few shrubs, and coarse grass. Behind the Monte Nuovo is the Lake Avernus immortalized in the sixth book of the *Aeneid*. The gloomy wood that formerly surrounded it, that pestilential air, which was fatal to the birds who flew over it, no longer exist, except in the description of the poet. I cannot give you a better account of it than in the words of manuscript, before quoted :...“ The lake of Avernus is an object inter-

esting to the naturalist, the poet, and the historian. It is the crater of a volcano, filled with water, which was sounded by admiral Mann and found to be 600 feet in depth. Aristotle calls it one of the prodigies of this kind that existed on the earth. The ancient Grecians made it their hell, imagined it to be surrounded with four rivers, and gave them names of rivers in their own country. The Romans, with Virgil at their head, followed the same idea. They called the Lucrine Lake, Cocytus ; the Lake of Fusaro, Acheron ; the baths of Nero, or rather the subterranean source of them, was Phegethon ; and lastly, the waters in the obscure chambers at the bottom of the lake of Avernus, commonly called the Grotto of the Sybil, were the Styx. What Homer says of the Cimmerian regions, in the travels of Ulysses, relates according to Dacier and the other critics to the environs of Avernus. Strabo had anciently the same opinion. In the obscure, gloomy wood, that formerly surrounded this place, Æneas gathered the golden branch that procured him admittance into the infernal regions.” In the neighbourhood are a great many ruins, among which are those of Cumæ.

At some distance from the Monte Nuovo, towards Baiae, are the baths of Nero. The beach is here interrupted by some rocks and ruined walls which project into the sea. Among these the steam and vapour is continually issuing from the boiling pool below, which is at the extremity of a dark, narrow, winding cave. To descend to this boiling water, requires a violent effort ; it is necessary to strip to the skin, and even then possess considerable resolution to penetrate in the dark, almost stifled with the heat and

steam. A fellow is always ready with a bucket, in which he puts two or three eggs, and going into the cave, dips it into the pool below, and by the time he returns into the open air, the eggs are sufficiently boiled. I eat an egg cooked in the water from this natural cauldron ; the man who went down appeared to be much exhausted by the exertion. I entered the cave a little way to experience the effect. At first I could walk upright, without any inconvenience from the vapour which passed over my head. After three or four yards, it was necessary to stoop a little ; and in progressing farther I went upon my hands and knees, till the vapour growing hotter and hotter, I was glad to turn round and escape into the open air. This boiling water is not confined to a small spot ; even on the beach, under the rocks for several yards, if you scrape away the sand a few inches on the very edge of the water of the bay, the hole is filled with boiling water. Near these rocks there is a bathing room with an arched ceiling, on which some of the stucco is still remaining. This is said to have been part of the palace of Nero, and was probably supplied from the boiling source just described.

I now returned to the boat, and being rowed a short distance, was landed at Baiæ. Ancient Baiæ is now covered with the sea, the highest parts of a few buildings only remain. Three of these are very remarkable, and are called Tempio di Venere, Tempio di Mercurio, Tempio di Minerva ; but these names are given without foundation, and the antiquarians suppose them to have been anciently Thermæ. The Temple of Mercury is circular, and lighted by an opening from the top ; the earth now rises

to within a few feet of the cornice. A very strong reverberation is produced, by striking the ground with a stick, and a whisper against the wall is distinctly heard on the other side. The little ruin called the Tempio di Venere is the most beautiful I have ever seen. It is of an octagon form, overgrown with ivy, and is extremely picturesque. These and some other shapeless ruins are all that remain of ancient Baiæ. This beautiful coast has experienced the most extraordinary changes from the violent earthquakes, with which it has been ravaged. Under the wall of a large castle, in a very commanding situation, are placed a few habitations, the inhabitants of which cultivate the vineyards situated among the ruins, and this is all the population of modern Baiæ. What a reverse ! Even in the most luxurious days of ancient Rome, this place became a proverb from the sensuality and debauchery of its inhabitants, the beauty of the climate, and those fascinating shores, once the theme of the poets and the resort of the dissipated. The corruption of Baiæ was a theme of perpetual satire with the moralists, among whom Martial says that the most virtuous matron in Rome would be converted into a perfect Messalina in this dangerous residence. Seneca asserts that it could not be the residence of any person possessed of any principle of virtue, and Cicero was reproached for having a villa in this neighbourhood.

No longer the haunt of pleasure and dissipation, the coast of Baiæ is strewed with ruins ; earthquakes have destroyed its temples and palaces, but the delicious climate still remains, and the landscape is still beautiful and picturesque.

Again embarking I left Baiæ and landed on the other side of the

Castle. At every step some ruin is to be seen ; one is pointed out, as being the tomb of Agrippina, murdered by her infamous son : but there is no authority for this supposition. A little farther on are the *cente camerelle*, or the prisons of Nero. These are narrow subterranean galleries, which are thought to have supported some terrace. There is nothing in their construction to justify the idea of their having been prisons.

After gaining the summit of the hill, the guide conducted me into the *piscine mirabile*. This is a vast reservoir, under ground, about seventy feet in depth ; the roof is supported by square pillars covered with stucco, which are as entire as if they had been just constructed. This immense reservoir was formerly filled with water, though for what particular purpose is not known. It is generally supposed to have been for the Roman fleet, stationed at Misenum. The water has encrusted these columns with a substance of excessive hardness ; it is half an inch in thickness, and is capable of receiving the most beautiful polish. It is manufactured into various little ornaments.

From this hill is seen the pro-

montory of Misenum, the Mare Monte, and the Elysian Fields, in which are the ruins of ancient tombs. This view, which the pencil alone can give any idea of, does not need the additional interest, which their classick names excite, to chain the admiring stranger to its beauties. The most interesting classick recollections here unite with the fantastick, the wonderful, and beautiful appearances of nature to excite alternately the most delightful sensations, or plunge the mind into the most pleasing reveries. Every foot of these places is classick ground, and, before viewing them, looking into some of the Roman poets, adds vivacity to the sensations they excite ; above all, every one ought to read the sixth book of the *Aeneid* before he makes this excursion.

The pleasure of the traveller, in viewing these scenes, is interrupted and partly destroyed by the number of beggars, which surround him. The number of poverettos and miserabiles who are haunting your steps seem like the ghosts of the ancient inhabitants, and society appeared to me to be more ruined than the buildings.

ACCOUNT OF THE PRESENT STATE OF LITERATURE AND THE ARTS IN ITALY.

[Concluded from p. 184.]

ON our arrival at the frontiers of the Italian Republick, at Scari-calasini, situated on the summit of the Appenines, we began to be tormented by customhouse-officers. In the Roman and Tuscan territories little ceremony had been made respecting our passes and trunks, but in the Republick we were treated with such suspi-

cious severity, that, in spite of all the inconveniences to which we were subjected by this conduct, it frequently appeared perfectly ludicrous. I had a parcel of books in my trunk, and had not the least idea that they could give any umbrage, but they caused us a thousand vexations, which continued from the moment we entered the

Republick till we reached the foot of the Splügen, where its jurisdiction terminates. When the books were discovered, I was told that my trunk must be sealed up till we arrived at Bologna, because the strictest orders had been issued to suffer no books to enter the territories of the State, without the precaution of sending them sealed to Bologna, where they would be returned to me after they had been revised. When I expressed my surprize to the custom-house-officer, and added, that I should have expected such a proceeding in the Papal dominions, but not in the Italian Republick, he replied very frankly, "Yes, it should be so; but at present we are more afraid of books than of the Pope." At Bologna, notwithstanding all my remonstrances, my books were declared to be merchandize, and in that city, as well as at Parma and Milan, I was obliged to pay duty for them as such. During all this time I was never master of my trunks, for in all the towns through which we passed, they were detained at the custom house. In this blessed republick all the regulations relative to travellers are calculated only to harass and extort money. In the Parmesan, which is now a French province, we experienced the same vexatious treatment as to our trunks, passes, &c.

Our residence at Bologna was so short, that I could only visit the Gallery of Sampieri, where many old impressions were renewed. In this city Italian literature still maintains the preponderance, and I found only two booksellers who sold French works. At Modena, Parma, and Milan, the trade in French books, and probably the study of French literature, is at least on a par with the Italian. At

Bologna I met with a few more books in the Bolognese dialect, for my collection of the various dialects of Italy.

At Modena there are few works of art worthy of notice, since the ducal collection has been removed from the palace.—At the library, which is admirably arranged, and is particularly copious in historical works, I spoke with the Padres Pozzetti and Scotti, who jointly perform the office of librarian, which was before held by Tiraboschi, and his predecessor, Muratori, alone. The manuscripts occupy a spacious apartment. Among other curiosities I saw a beautiful copy of Provençal Poems, containing pieces by 143 different poets. At a bookseller's in this place I found two new works, which considerably interested me. One of these was an Italian Translation of Kotzebue's Misanthropy and Repentance, and the other an Exposition and Examination of Kant's Philosophy, by Francesco Soave. Out of curiosity I bought the latter, a pamphlet of only 108 pages, fifty-two of which are occupied with the Exposition, and the remainder with the Examination. Upon closer inspection I found that what the author calls his Exposition, is nothing more than a scanty extract from that of Villars. In his Dedication to the Vice-President Melzi, he says, that he undertook this examination of a System, which is beginning to extend itself in Italy, only with a view to warn and caution youth against studying it; for, says he, in another place, it has been forbidden even in Germany by several Governments, and has been ill-received by almost all. After this it may easily be conceived how his examination and refutation are con-

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ducted. It does not appear that M. Soave has understood, or taken in a proper sense, a single sentence of his author; and even what is most intelligible is distorted and placed in a ludicrous light. I was informed, when too late, that this Italian Anti-Kantist resides at Modena, where he is teacher of philosophy at the *Collegio*, or *Liceo Nazionale*, otherwise I should have made a personal acquaintance with him. Soave has long been esteemed in Italy as a man of talents. He is the author and translator of several works, and has written a *Grammatica Ragionata della Lingua Italiana*, which is accounted the best Italian Grammar extant, though it is rather a sketch than a complete work; likewise a collection of *Novelli Morali*, in two volumes, each containing eighteen tales which are narrated with great ease, and are in high estimation for the elegance and purity of their style. He has likewise written a System of Logick and Metaphysics, after the manner of Locke and Condillac. Among his translations, that of Virgil's *Georgics* is much esteemed. He has likewise rendered into his native language the Idylls of Gesner, and the Abstract of Locke on the Human Understanding, by Wynne.

At Parma I found, to my regret, that the beautiful Corregios which I saw there ten years since, were gone. I was unable to obtain admission to the pieces by Corregio, which were found in an apartment in a nunnery, and which Bodoni made known in a splendid work, with a description by Gherardo de Rossi, of Rome. Bodoni would, however, have procured me access to them, had not the only person that can enter the convent whenever he pleases, the

French Prefect, who is a friend of Bodoni's, been indisposed. The designs for the engravings of Bodoni's work were sketched by Vieyra, a Portuguese, in a few hours. Another artist, of the name of Trevisani, is at present employed by the French Prefect in taking copies of them in oil. At the Academy, which now contains nothing but the prize-pieces of young artists, I beheld, on a small scale, the effects of French repacity, which we experienced at Rome in a much greater degree. All the antique statues which formerly stood in the hall of the Academy, and those dug out of the subterraneous ruins of Velleji, stood packed up in chests, ready to be sent off to Paris. Among them were some busts of Emperors, and figures with most exquisite draperies.

Bodoni's printing-office at Parma is a curiosity which no traveller ought to omit seeing. The proprietor himself is a man of the utmost politeness, cordiality, and good-nature, with whom you feel the same freedom in the first minute as with an old friend. His acquaintances know perfectly well how to take advantage of his disposition to serve every one. When any of them has produced a paltry poem, a discourse, or any worthless trifle, the kind Bodoni is easily prevailed upon to print it; and thus a great quantity of trash passes through his presses, and is purchased at high prices, on account of the beautiful type, by the collectors of works of his printing. His splendid editions of the Latin Classicks are in less estimation than the Italian, because they are not very correct. Didot has detected a number of very gross errors in his Virgil. Of his Italian authors, the works of Tasso,

Aminta, and the *Gierusalemma Liberata*, edited by the Abate Serassi, are in high repute for their correctness. His Petrarca deserves the same commendation. On the contrary, the admirable Roman edition of Dante, by Padre Lombardi, is justly preferred to Bodoni's, which was edited by Monsignor Dionisi, of Verona. Dionisi ought perhaps to have been more capable than any other person of producing a correct edition of the *Divina Commedia*, for he devoted about thirty years of his life almost entirely to the study of Dante, and there is not a manuscript in Italy, not an early or a rare edition, which he has not collated, for the sake of the different readings. But instead of taking one of the best editions for his ground work, and then judiciously selecting the best readings, he has, according to his caprice, composed a *Pasticcio* of them all, and produced a text that has no other authority than the taste of Monsignor Dionisi, which none can certainly allow to be genuine. Padre Lombardi, during the eighteen years he was employed on his Dante, likewise collated most of the MSS. and early editions ; but possessing more judgment, he selected the *Nidobeatina* edition for his groundwork. He gives his reasons for rejecting or admitting certain readings, which are almost always judicious, and, in consequence of fortunate conjectures, which he afterwards found confirmed by MSS., has amended the text where it wanted correction. On this account Bodoni's Dante is in less request, while his Tasso and Petrarca are caught up with avidity. He defers his intended edition of Ariosto, which the amateurs have long been anxiously expecting ; he says he is afraid of

undertaking a work of such magnitude, in six volumes, and various sizes. He has an idea of commencing a Homer, in four volumes, in large folio. He intends to print only the text, and was still undecided what edition to select for the groundwork. My companion, M. Riemer, a worthy pupil of Wolf, advised him to take the edition by that author, which is universally acknowledged to be the best, both for the correctness of the text and of the impression.

The two equestrian statues of the Dukes Alexander and Ranieri Farnese, in the square at Placenza, deserves to be ranked among the most distinguished productions of modern art, notwithstanding all the violations of good taste observable in their style. They are symbolical. The hero Alexander is represented riding against the tempest, which blows back his robe and the mane of his snorting charger. The whole group has an air of boldness, and appears to be pushing forward with a resolution becoming a warrior. The figure of Alexander is however rather too mean for a hero. The other, who is a statesman, rides at a more moderate pace, and in a more cautious manner. The forms of both the horses might be better ; but there is great spirit in their movements.—How different is the impression made by the representation of a Cosmo de Medici, an Alexander Farnese in the coat of mail of the middle ages, and mounted on a stately charger, and by the figure of a naked Bonaparte, striding forward with a globe in one hand, and a long stick in the other, as Canova has represented him, and for which, as may easily be conjectured, that artist has received unbounded applause.

The nearer the traveller ap-

proaches to Milan, the more dusty, but likewise the more lively, the roads become. The soil is also in a much higher state of cultivation. To discover here any traces of the war would require a penetrating eye : that its effects are still felt both by the inhabitants of the country and of the city, I was informed by several : yet the general affluence and the native industry of the people announce, that in a few years of peace they would cease to be felt, if the mother re-publick did not continually send out new leeches. Milan is at present, beyond dispute, the most cheerful and lively town in Italy ; and though in the populous city of Naples there may be more noise and tumult, yet in the former there is more really useful activity and bustle. The excessive luxury which now prevails at Milan, indeed shews that a small number are revelling at the expense of the majority. You, however, perceive no misery ; and though the necessaries of life are dear, yet there is a great quantity of specie in circulation. Every thing is so Frenchified at Milan, that you scarcely conceive yourself to be in Italy ; and to a person coming from the south of Italy, the Milanese dialect sounds like a French *Patois*.

In this place you hear a great number of the *literati* speaking of Kant's philosophy, but I did not meet with one who was acquainted with it intimately, and through the original source. In general, an inexpressible confusion and fermentation at present prevails in the heads of the young *literati* at Milan. Unfortunately it can never take a favourable turn as long as they are obliged to borrow the light that is to illumine them from their neighbours on the Seine.

The celebrated poet Monti, who obtained such reputation by his *Bassevilliade*, is lecturer of the *belles-lettres* at the academy of Brera. The Academy of arts is under the direction of a young artist, of twenty-five, called Bossi, who notwithstanding his youth, fills that post with ability and dignity. He is an artist of extraordinary talent, and an uncommonly cultivated mind. By his means many an important improvement has already been made in the academy, and he hopes to effect others with the assistance of Melzi, whose confidence he possesses. The class of decorators and of the artisans in general, who make architectonic ornaments, enjoys the benefit of the instruction and models of Albertolli, the most expert artist in that line in all Italy. Nothing can be more tasteful, more neat and ornamental, than his drawings and inventions, which are partly known by three volumes of engravings of his embellishments. Appiani is esteemed a capital portrait-painter, and indeed the first in Italy, and he deserves that character ; but he must not be compared with the ancient great portrait painters of Italy and other countries. Our modern art has its peculiar character, and a particular point from which it must be viewed. Our present painters are no more able to rival Titian, Raphael, Dürer, and Holbein, than our sculptors can vie with those of ancient times. The ancient works are the fixed classick rule, the standard of unattainable excellence, and only to approach this perfection is a great commendation for a modern artist. A modern production of art possesses great merit if it but evince some traces of resemblance to the works of antiquity. I saw some por-

traits at Appiani's, which had much nature and gracefulness in the disposition.—His colouring is charming, but not true ; rather delicate than strong. I was particularly pleased with his treatment of inferior objects, which appear to be, but actually are not, neglected. They are merely subordinate to the principal subject. This artist has likewise made some attempts in the historical way, but he will scarcely obtain any great reputation in that line. He is not destitute of inventive talent, but his composition and design are deficient in style, and his figures in character. Appiani possesses a Madonna in excellent preservation, said to be by Leonar-

do da Vinci, to which he attaches a very high value, but upon nearer examination it might perhaps be only a Luini.

Such are the few observations I had an opportunity of making on literature and the arts during my expeditious journey through Italy. I now hasten to close my long letter, while I cast a farewell look towards the enchanting land in which I have resided almost ten years, which I love as my adopted country, which has furnished me with a never-failing source of exquisite recollections, and which, in the gloomy and inclement regions of the North, will present my fancy with the images of a serener heaven and a more delightful earth.

—
SILVA.

No. 15.

*Nil non mortale tenemus,
Pectoris exceptis, ingeniique bonis.*

OVID.

IN some such gloomy moment as that of parting with a friend, or of wounding my body, I cannot but meditate on the evanescent nature of human life. These heavens, say I, are magnificent, but I shall not always behold them : this terrestrial scenery is luxuriant and beautiful, but it will not charm me forever. I had a friend, in whose vigour I rejoiced, whose knowledge instructed, and whose humour delighted me ; but the place that knew him knows him no more. If I repair to the well-known closet, its occupant is gone ; if I visit the parlour circle, his musical and facetious voice is not heard. At club, on 'change, in the mall, I no longer meet his intelligent eye, nor grasp his beneficent hand. If I visit his tomb, I see nothing but a mass of offensive ashes. Yet he is immortal by his

living thoughts and glowing words. The *ars omnium conservatrix artium* still reflects the image of his heart and shows the imperishable beauty of his mind. I learn instruction from the fact. I too would leave some print of my hand and some vestige of my foot in the dust of this globe. I cheerfully assist in planting this forest and forming this parterre, in the hope that they will live in youthful efflorescence, when he who now sees me at my labour, shall seek me and I shall not be.

—
PROGRESS OF THE ARTS.

FIRST the necessary arts are practised, afterward those which are convenient and pleasurable. First hunting, then fowling, then fishing. First pasturage, then agriculture, then gardening. First thatched houses, then log-framed

...brick....stone....marble. First besmearing the body, then skins.... coarse cloths....dyed cloths...linensmuslins....bleaching....washing... and all the tinkling ornaments of a Parisian belle.

—
BLAIR

is justly esteemed an elegant writer ; but his labour is fully equal to his success. Without a particle of genius, he disputes the ground with fame inch by inch. He fabricates his sentences as the weaver does his cloth, yet with more toil, and less satisfaction.

—
PETRONIUS ARBITER.

NONE better deserves a page in eccentric biography than this extraordinary man. He seems to have possessed the learning, knowledge of the world, and the graces, which lord Chesterfield so eagerly desired for his son. He was a scholar, a courtier, and a debauchee. In his consular office he emulated the patriotism of Brutus and the dignity of Scipio ; yet in private life he was an extravagant epicure, and tolerated in his friends the grossest impurities. He had an almost incredible versatility of temper and talents. As occasion suited, he could be grave with philosophers, a mimick with buffoons, cruel as Nero his master, or sportive as the lamb that frolics on the mountain's side. He spent the day in sleep and negligence, and the night in loves, gaiety and song. He was serious in trifles, and he trifled with every thing serious. He even mocked the solemnities of death, causing his veins to be opened and closed alternately, until nature refused to supply farther opportunity to his indifference and pastime. He was equally singular in his writings. Sometimes he scourged and some-

times he praised the profligate favourites of a profligate court, and used his wit and learning by turns to provoke and to condemn the excesses of his time. But notwithstanding the depravity of his manners and the obscenity of his pen, there are several editions of his works ; and the ingenuity of christian editors has been often exercised to ascertain the meaning of his funny puns, and indicate the point of his wicked epigrams. The following story will show the playful elegance of his satire, though none will believe it as a matter of fact. *Matrona quædam Ephesi tam notæ erat pudicitiæ, ut vicinorum quoque gentium feminas ad sui spectaculum evocaret. Hæc ergo cum virum extulisset, non contenta vulgari more funus passis prosequi crinibus, aut nudatum pectus in conspectu frequentiæ plangere, in conditorium etiam prosequuta est defunctum, positumqne in hypogœo, græco more, corpus custodire ac flere totis noctibus diebusque cœpit. Sic afflantem se ac mortem inediâ consequentem non parentes potuerunt abducere, non propinquui : magistratus ultimò repulsi abierunt : complorataque ab omnibus singularis exempli femina quintum jam diem sine alimento trahebat. Asidebat ægræ fidissima ancilla, simulque et lacrymas commendabat lugenti, et quoties defecerat, positum in monumento lumen renovabat. Una igitur in tota civitate fabula erat ; et solum illud affulisse verum pudicitiæ amorisque exemplum omnis ordinis homines confitebantur : cum interim imperator provinciæ latrones jussit crucibus affigi, secundum illam eandem casulam, in qua recens cadaver matrona, deflebat. Proxima ergo nocte cum miles, qui cruces servabat, ne quis ad sepulturam*

corpora detraheret, notasset sibi et lumen inter monumenta clarius fulgens, et gemitum lugentis audisset; vitio gentis humanæ concupiit scire quis aut quid faceret. Descendit igitur in conditorium; visaque pulcherrima muliere, primo quasi quodam monstro, infernisque imaginibus turbatus substitit: deinde ut et corpus jacentis conspexit, et lacrymas consideravit, faciemque unguibus sectam; ratus scilicet, quod erat, desiderium exstincti non posse feminam pati; attulit in monumentum cænulum suam, cœpitque hortari lugentem, ne perseveraret in dolore supervacuo, et nihil profuturo gemitu pectus diduceret: omnium eundem exitum esse: sed et idem domicilium; et cætera, quibus exulceratae mentes ed sanitatem revocantur. At illa ignota consolatione percussa, laceravit vehementius pectus, ruptosque crines super pectus jacentis imposuit. Nec recessit tamen miles sed eadem exhortatione tentavit dare mulierculæ cibum, donec ancilla vini certè ab eo odore corrupta, primum ipsa porrexit ad humanitatem invitantis victimam manum: deinde refecta potionem et cibo, expugnare dominæ pertinaciam cœpit: et quid proderit, inquit, hoc tibi, si soluta inedia fueris? si te vivam sepelieris? si, antequam fata poscant, indemnatum spiritum effuderis?

Id cinerem aut manes credis curare sepultos?

Vis tu reviviscere reluctantibus fatis extinctum? vis discusso muliebri errore, quam diu licuerit, lucis commodis frui? ipsum te jacentis corpus ammonere debet, ut vivas. Nemo invitus audit, cum cogitur aut cibum sumere, aut vivere. Itaque mulier aliquot dierum abstinentia sicca, passa est frangi pertinaciam suam: nec mi-

nus avide replevit se cibo, quam ancilla, quæ prior victa est. Cæterum scitis quid tentare plerumque soleat humanam satietatem. Quibus blanditiis impetraverat miles, ut matrona vivere vellet, iisdem etiam pudicitiam ejus aggressus est. Nec deformis, aut infacundus juvenis castæ videbatur, conciliante gratiam ancilla, ac subindè:

—Placuisse etiam pugnabis amori?
Nec venit in mentem quorum cosederis arvis?

Quid duitius moror? ne hanc quidem mulier partem corporis abstinuit victorque miles utrumque persuasit. Jacuerunt ergo una, non tantum illa nocte, qua nuptias fecerunt, sed postero etiam ac tertio die, preclusis videlicet conditorii foribus, ut quisque ex notis ignotisque ad monumentum venisset, putasset exspirasse super corpus viri pudicissimam uxorem. Cæterum delectatus miles et forma mulieris et secreto, quicquid boni qui facultates proterat, coemebat; et prima statim nocte in monumentum ferebat. Itaque cruciarium unius parentes, ut viderunt laxatam custodiam, detraxere nocte pendentem, supremo que mandaverunt officio. At miles circumscriptus dum residet, ut postero die vidit unam sine cadavere crucem; veritus supplicium, mulieri, quid accidisset, exponit: nec se exspectaturum judicis sententiam, sed gladio jus dicturum ignaviæ suæ: commodaret modo illa perituro locum et fatale conditorium familiari ac viro ficeret. Mulier non minus misericors quam pudica; Nec istud, inquit, Dii sinant ut eodem tempore duorum carissimorum hominum duo funera spectem: malo mortuum impendere, quam vivum occidere. Secundum hanc orationem, jubet corpus mariti sui tolli ex arca, atque illi, quæ vacabat, cruci adfigi.

Usus est miles ingenio prudentissimæ feminæ; posteroque die pop-

ulus miratus est, qua ratione mortusisset in crucem!

We gladly embrace an opportunity of performing a promise long since made, and insert the following Life of Bentley from a London publication of 1783. The profound and unequalled learning of this Great Scholar is now universally acknowledged, and at length

.....Nations slowly wise and meanly just
To buried merit raise the tardy bust.

LIFE OF RICHARD BENTLEY, D. D.

Late Regius Professor of Divinity, and Master of Trinity College, Cambridge, England.

Τιμωτατα μεν και πρωτα τα περ την Ψυχην αγαθα.

FLATO, de Legib. IV.

RICHARD BENTLEY, was born on the twenty-seventh of January, 1662, at Oulton, in the parish of Rothwell, near Wakefield, in Yorkshire. He was descended from a family of some consideration, who possessed an estate and seat, at Hopenstall, near Halifax. His father, Thomas Bentley, was a reputable tradesman, at Wakefield, and married the daughter of Major Richard Willis, of Oulton, who had formerly engaged in the service of the unfortunate Charles.

This lady, who possessed an excellent understanding, initiated her son Richard in his accidente. His father died while he was young, but left him a faithful guardian and firm friend in his grandfather, who placed him at the Grammar school in Wakefield, where he was distinguished for the quickness of his parts, and regularity of behaviour.

At a very early age, for he was not yet fifteen, Mr. Bentley was admitted of St. John's College, Cambridge, May 24th, 1676, under the tuition of Mr. Johnson. On the twenty-second of March, 1682, while he was a junior bachelor, he stood candidate for a fellowship. His youth was the only

obstacle to his success. The statutes of that college prohibit the election of *fellows*, who are not old enough to be admitted to priests' orders. Bentley, at this period, was but twenty.

Not long after this disappointment, he undertook the charge of a school at Spalding, in Lincolnshire. His residence in this place was probably of short continuance, as he was recommended, by his college, to Dean Stillingfleet, as tutor to his son, who had been admitted pensioner of St. John's College, in 1677. Bentley took his degree of Master of Arts in July, 1683, and then resided some time with his pupil, at Oxford, where he devoted a large portion of his attention to the examination of manuscripts in the Bodleian Library, which offered to his view an inexhaustible mine of intellectual treasures.

His natural inclination for critical disquisition discovered itself at a very early period. Before he was twenty-four years of age he had written an Hexapla, in a large quarto volume. The first column of this work contained all the words in the Hebrew Bible, and in the other five columns he wrote

the Chaldee, Syriac, and vulgar Latin interpretations, as well as those of the Septuagint, of Aquila, Symmachus, and of Theodosian. He resolved to derive his knowledge of Hebrew from the ancient versions, and not from the more modern Rabbins ; and in order to facilitate the execution of this plan, and to enable him to compose such a work, he must have perused the whole Polyglott, except the Arabic, Persic, and Ethiopic versions.

At the same time he filled another quarto volume with various readings, drawn from the old translations, which might have made a second part to the *Critica sacra* of Capellus, if it had been published.

About the year 1790, he became domestick chaplain to the Bishop of Worcester, the education of whose son he had superintended. He resided fourteen years with this right reverend patron, whose esteem he enjoyed in a high degree, while he held a correspondence with the literati of every nation.

His character now ranked high in the estimation of all his learned countrymen ; and in 1691, his first publication established his reputation beyond dispute. A fragment of a Chronography written by John of Antioch, surnamed Malala, had been discovered in the Bodleian Library, in manuscript, and was preparing for publication, by the learned Humphry Hody, of Wadham College. On this occasion, at the desire of Lloyd, Bishop of St. Asaph, Bentley reperused this work, and in a Latin epistle, addressed to Dr. Mill, he published critical observations on several Greek authors, particularly on those quoted by Malala ; and corrected the passa-

ges which had been corrupted by the carelessness of that writer, or the imperfection of the manuscript.

This epistle was subjoined to the Chronography, which was published in February, 1692, with a Latin translation and notes, by Chilmead, and a dissertation on the author, by Hody.

This first production of Bentley stamped a lustre on his reputation, which the cavils of his enemies, and the sneers of the ignorant could not efface from the minds of the *learned few*, in England, and on the continent. He was now numbered among the most eminent scholars of the age, and his Epistle was read and quoted on every occasion.

He was now introduced to publick notice, by the trustees of the Honourable Robert Boyle, who appointed him the first preacher of the Lecture, instituted by that great man's will, to vindicate the great fundamentals of natural and revealed religion, against the alarming attacks of Atheism. He was only thirty years of age, and had not taken priests' orders, when he delivered the first lecture, at St. Martin's Church, March 7th, 1692.

He was recommended in the strongest terms to the trustees, by Bishop Stillingfleet and Bishop Lloyd. The splendid abilities which he displayed in the execution of this office justified the choice, and the recommendation. All his successors have built upon the foundation which he laid.

During this period, he maintained a philosophical correspondence with Sir Isaac Newton. The dearest friendship subsisted between them, and he composed his sermons with that great man's approbation. In these discourses

he proved the folly of the atheists with respect to the present life, and the incapacity of matter and motion to think. He confuted their assertions by considering the faculties of the soul, the structure and origin of the human body, and the origin and frame of the world, while he applied the mathematical principles of his friend Newton to evidence the being of a God.

These lectures were originally published at the desire of the trustees, and have been reprinted several times, as well as translated in many foreign languages. Their merit is not confined, or local : they are as well known on the continent, as in England. If they have any fault, it is the frequent witticisms with which they are interspersed. We have sometimes suspected, that he wished to imitate South, whose compositions are frequently too jocose for the pulpit. There is an astronomical error in one of the discourses, which was pointed out by Keil.

To the friendly assistance, or rather counsel, which he received from the learned philosopher, he was justly entitled. By the advice of Bentley, and by his earnest solicitations, Sir Isaac was induced to publish his *Principia*. So great was the diffidence of this eminent man, that he was fearful of trusting his immortal labours to the scrutinizing eye of the critick. The importunity of the friend, however, prevailed ; and conquered his natural diffidence. To these repeated and urgent instigations the world was indebted for the early publication of that invaluable performance.

On the 2d of October, 1692, Bentley was installed a prebendary of Worcester, by his patron Bishop Stillingfleet ; and when the

death of Mr. Justel vacated the place of Royal Librarian, at St. James's, he was appointed his successor. A warrant was issued from the Secretary's Office for that purpose, in December, 1693, and he received his patent in April following. His active management was fully proved, as soon as he was instituted into his new office ; for he recovered above a thousand volumes, of various kinds, and different values, which had been withheld from the King's collection of books, in defiance of the act of parliament, with orders, that a copy of every work which is entered at the Hall of the Stationer's company shall be transmitted to the Royal Library, as well as to those of every university in England and Scotland.

This appointment may be deemed one of the greatest misfortunes of Bentley's life, as it engaged him in a dispute with Mr. Boyle, which created him a legion of enemies, who continued for a long course of years to load him with abuse.

Mr. Boyle was a young man of family, fortune, and abilities. Of course his followers were numerous. Bentley stood alone. He singly, however, sustained the attacks of his adversaries, and while he proved the justice of his cause, shewed himself their equal in wit and genius, in learning and argument.

The opinions of the literary world have long decided in favour of Bentley. We shall, however, give an account of this grand controversy, as it may justly be considered as an event of the first magnitude in the life which we are now writing, and may prove

"What dire effects from trivial causes spring !"

At the desire of Dr. Aldrich, Dean of Christ-Church, Mr. Boyle

undertook the publication of a new edition of Phalaris ; and as he wished to consult a manuscript of the epistles, which was in the king's library, he commissioned Mr. Bennet, a bookseller, to apply in his name to Bentley, who had very lately entered upon his office. The book was delivered to the messenger ; but as the librarian was going into Worcestershire, a few days after, he insisted upon having the manuscript returned.

Bennet affirmed, that he received the book, after a solicitation of several months, and that it was taken from him by the librarian (who disparaged the work and the editor, in his conversation), although he had informed him, that the examination was not completed. These assertions were partly refuted, and partly contradicted.

The Epistles were published in 1694. The preface, by Mr. Boyle, gave an account of the edition, and when he mentioned *this* manuscript, said, that the collation could not be carried farther than the fortieth Letter, because the book was taken away, by *the singular kindness* of the librarian.

A few days before the publick sale of Phalaris, Bentley, by accident, saw a copy in the hands of a person, to whom it had been presented. As soon as he had read the preface, he wrote an account of the affair to Mr. Boyle, in hopes that he would order the leaf which contained the charge to be reprinted. An answer was returned, couched in very civil terms, but saying, that the story had been written according to Mr. Bennet's representation ; that he was hurt at the refusal of the manuscript, but that if he had been deceived, he should certainly acknowledge his error.

The book was disseminated, and

the exceptionable passage remained unaltered.

In this situation the affair rested for near three years, during which time, in 1696, Bentley was admitted to his degree of Doctor in Divinity ; and preached on the day of the publick commencement. His erudition was now so celebrated, that his advice was asked with regard to a new edition of some Roman Classicks, which were to be published at the University press, for the use of the Duke of Gloucester. He procured the types from Holland, with which these books were printed ; and advised Laughton, to whom the Virgil was entrusted, to follow Heinsius. His ideas, however, did not coincide with those of the Doctor. Terence was published by Leng ; Horace by Talbot ; and Catullus, Tibullus, and Propertius, by Mr. Annesley, who was afterwards Earl of Anglesey.

While the Cambridge press was engaged in printing these splendid editions, in 1697, Dr. Bentley published his Dissertation on the Epistles of Themistocles, Socrates, Euripides, Phalaris, and the Fables of Esop. This work was added to a new edition of Wotton's Reflections on ancient and modern Learning.

The injury which he had received in the preface to Phalaris was not forgotten. In this dissertation, he defended himself against the charges of Bennet, and asserted that the Epistles which had been attributed, for so many centuries, to the Tyrant of Agrigentum, were spurious, and the production of some sophist. Mr. Boyle was attacked for employing his time in the publication of so contemptible an author, and accused of degrading a miserable performance, by a bad edition.

In the course of this year, the learned Grevius published his edition of Callimachus, which was enriched with the notes and animadversions of Dr. Bentley, as well as with his collection of the fragments of that poet.

This new edition of Wotton's Reflections appeared just as Mr. Boyle was setting out for Ireland ; and the urgency of his business prevented his writing an immediate answer. In the following year, however, he published an examination of this dissertation, in which he attempted to vindicate the Epistles of Phalaris, and the Fables of Esop, from the charges of Bentley, and to prove their authenticity.

This once famous book, which was perused with such raptures by the learned and the unlearned, is now disregarded.

It is still to be found in the libraries of the curious ; but, although the book contains some learning, and much wit, it is rarely mentioned ; and the highest praise that can be justly bestowed on Mr. Boyle's labours, is, that they occasioned a republication, with large additions, of the immortal dissertation on the Epistles of Phalaris.

This work, in its improved state, appeared in 1699. His adversary now began to feel the strength of those powers which he had slighted ; and in order to animate a dying cause, many engines were employed to overturn Dr. Bentley's reputation. Several pamphlets were published : sarcastick reflections were substituted in the place of sound argument. He was accused of plagiary. It was asserted that his observations on Callimachus were borrowed almost wholly from Stanley.

Some people of consequence appeared in the lists against him.

Smalridge wrote a burlesque parody on the dissertation, in order to prove that Bentley was not the author of it, by the same arguments which the Doctor had employed to evince that the Epistles of Phalaris were spurious.

King, the author of the Journey to London, ridiculed him and his performance, in some " Dialogues of the Dead ;" which, in his preface, he says were the production of a gentleman at Padua, and written by him, on account of the character which he had received of a troublesome critick, whose name was *Bentivoglio*. In these dialogues there is a small portion of wit, but little genius ; and it can hardly be supposed, that the cause could be much aided by so trifling a performance.

Dr. Johnson, in his life of King, has mentioned his engaging in this dispute, in the following manner : " In 1697, he mingled in the controversy between Boyle and Bentley ; and was one of those who tried what wit could perform in opposition to learning." King's Dialogues of the Dead, however, were not published before 1699.

Garth mentioned both the opponents in his Dispensary.

" So diamonds take a lustre from their foil,
And to a Bentley 'tis we owe a Boyle !"

Some of the wicked wits, even in his own university, drew the Doctor's picture, with the guards of Phalaris preparing to thrust him into the bull. In Bentley's mouth they put a label, on which was written, " I would rather be ROASTED, than BOYLED."

In the Tale of a Tub, Swift ridiculed our great critick and in the Battle of the Books, he has described Bentley and Wotton defending each other, side by side, until they were both transfixed by Mr. Boyle's triumphant javelin.

Bentley, indeed, stood almost single in the controversy. While Boyle, who was a young man of great expectations and brilliant parts, was assisted by the wits, and by the Literati, while the Learned and the Ingenious enlisted under his banner, Bentley, by choice, remained independent. Several of his friends at Cambridge offered their assistance. The Doctor, however, resolutely rejected their overtures. He was well acquainted with the justice of his cause, and knew that he might rely on the vigour of his own abilities. Several passages in Mr. Boyle's book, even his own friends had

deemed unanswerable. They were shown to Bentley. He immediately confuted them, and "unveiled the latent errors." As soon, indeed, as he had perused the answer, he openly declared, that the whole was equally liable to objections.

The voice of the people, for some years, supported the assertions of Boyle, and his adherents. But the obstinacy of prejudice at length gave way, and the Learned became unanimous in their opinion. It is scarcely necessary to remark, that the decision was against the Epistles of Phalaris.

To be continued.

REMARKER.

No. 9.

Illud γνῶθι σεαυτὸν noli putare ad arrogantiam minuendam, solum dictum, verū, ut bona nostra norimus. CICERO.

THE Remarker does not mean to confine himself to literary topics, but will occasionally lash those foibles, which though they are neither punished as crimes by the severe hand of justice, or as vices are censured from the pulpit, yet tend to undermine the props of social intercourse. He has chosen egotism for the subject of the present paper.

Egotism claims his descent from Vanity and Pride. To an inordinate desire of applause and a too great esteem for himself, which he inherits from his parents, he adds the desire of being the sole object of thought and consideration wherever he is. With the sensibility of Vanity, but without the firmness of Pride, he shrinks from every wholesome truth; and prefers the flattering applause of the worthless, to the silent esteem of the good. Great pains were taken in his education, particularly

by Vanity, and he was sent into the world, as soon as he arrived at the age of manhood, to create a new order of beings. He has not been idle in executing his commission, for few of the present race but can trace some affinity to this ancestor. Several of my acquaintance quarter his arms, and their features too strongly resemble their great progenitor to need the herald's office to prove them genuine heirs.

These gentlemen are ever eager to impress strangers with an idea of their own importance, and I seldom recollect meeting them in a tavern or a stage coach, where all enter as equals, that they did not attempt superiority, by informing us of their great connexions, their own consequence, and their large concerns; and, by retailing the hacknied observations of others, endeavour to make us suppose them as familiar with the most noted parts of either continent, as

with the vicinity of their own town. Raised upon this scaffolding they may sometimes succeed in exciting a momentary gaze, but it is seldom sufficient to support the weight of the giant, who presses upon it ; and when it sinks under him, he falls beneath the contempt of those, who would have respected him as an equal. Occasional applause, far from satiating an egotist, only makes him more eager to show his imagined superiority. He resembles himself to the sun, before whose effulgence the smaller luminaries hide their diminished heads, and those, who are not dazzled by his splendour, he regards as prying philosophers, unable to gaze on his brightness by their own powers, but eager to find by artificial means every dark spot, and maliciously proclaim it to the world, with a suggestion, that ere long his fire shall be consumed, and universal darkness cover his whole disc. With these ideas he expects an implicit assent to every thing he utters ; and flatters himself, that, in sounding forth his own merits, he is pouring instruction into minds eager to receive it. For Egotism, though at first but a small seed, yet, cultivated by doating parents and submissive dependents, soon becomes so large a tree, that every fleeting folly may rest thereon. I have known a lady deprived of pleasure for a whole evening, when her new headdress had passed unnoticed ; a wit retire chagrined, when he was the only person who laughed at a pun, he had been the whole day studying ; and Rosa, with tears in her eyes, vows we have no taste, because she has heard a whisper, while she was exhibiting her powers of execution in musick. People go more into society to display themselves and

their talents, than to gain instruction ; but as no society will suffer an equal to engross all its honours and pleasures, an egotist is obliged to resort to persons of inferior talents ; and he delights to astonish his Lilliputian companions by a display of his own wonderful powers. But a man will always approach towards the level of his associates ; and low company generally bespeaks a degraded mind. The pleasure we receive from the perusal of the works of Richardson cannot prevent our turning away with disgust, when we see him avoid the society of men of learning, and delight in being surrounded like an Asiatick prince by a crowd of dependent women, who would continually offer incense to his vanity. If egotists would confine themselves to their inferiors, their folly would be harmless ; but they frequently endeavour to assume the same manners among their equals and superiors.

From the long intimacy that has subsisted between my family and Mr. Puff's, I frequently meet him in society ; and although there are many good points in his character, yet by always endeavouring to make himself the only object of importance, he is universally shunned, as the destroyer of social pleasure. Dining in company with him lately, the conversation turned upon the relative political situation of our country to Europe. Puff appeared uneasy for a moment's pause to put in a word ; but at length, being unable longer to bear restraint, he interrupted one of our first political characters by directly contradicting him. Having silenced opposition, he undertook to lay open to our view the inmost recesses of the labyrinth of politicks, although his hearers did not perceive the connexion

between the compliments that Mr. Puff had received at St. Cloud or Madrid, and the political state of France and Spain. As when the leader of a nocturnal riot, exulting at having beaten down the watch, perceives himself deserted ; and that those he deemed his friends, ashamed of his outrage, had ranged themselves on the side of his adversary, stands motionless with rage and terror ; so stood our hero, when he saw every ear attentive to his vanquished rival, and no one listening to his harangue. Soon after the conversation turned upon agriculture, when my friend Puff determined to be revenged, and immediately informed us, that there were no cattle worth raising in the country, but from his breed ; and said so much of his improvements in agriculture, that a stranger would have supposed every thing valuable in that art had been introduced here by him. This speech was only received with a contemptuous smile, which so disconcerted Puff, that taking out his watch, he remembered an engagement at that hour, and instantly retired.

But Puff's felicity is at moments unbounded. When surrounded by a crowd of inferiors, who flock to his table for his dinners or the credit of visiting him, no peacock spreading his gaudy tail, and strutting among barn-door fowl, swells with more delight ; and the smile of ecstacy remains on his cheek, while he relates his own adventures, and the homage that has been paid to his superior merit. At that moment, benevolence would forbid, that the smooth current should be ruffled by a single pebble.

Not long since, I met with another striking instance of egotism in young Chalmers, who has lost the good will of his best friends by

a constant inattention to any, but his own feelings. According to the custom of our town, he called to pay a visit of condolence to a lady who had just lost her husband ; but unhappily with a face so full of mirth and jollity, that the lady has never recovered the shock it gave her ; and soon after he appeared at a wedding with woe and misery depicted in his countenance ; but in neither instance from a design to insult the feelings of his friends. He afterwards paid his addresses to a young lady of fortune ; but, when the preliminaries were nearly arranged, an unfortunate incident broke off the match. Having been made lieutenant of an independent company, the first day he wore his regimentals, he called to see his Dulcinea ; who was at that instant bewailing a beautiful and cherished lock, she had lost in the morning, from the awkwardness of her perruquier. His feelings were tuned too high to accord with her spirits ; and as he could not lower them, discord was the consequence. He treated her misfortune with contempt, and observed that a few shillings would more than replace the loss. The lady had already borne too much, she therefore informed him, that she had always thought he could love no one but himself, that she was now convinced of it, and begged never to see him more ; and though this affair was made up by the intercession of friends, similar ones soon occurred, which made the breach irreparable.

Egotism has been supposed indigenous to our soil ; if so, it is the lofty hemlock of our forests, whose slender roots cannot support its towering head against the rude blasts of winter, but overthrown it lies forgotten, and gives place to more useful trees.

To the Editors of the Monthly Anthology.

GENTLEMEN,

I send you the following Inscription on the monument, erected to the memory of Sir William Phipps, in St. Mary Woolnoth church, London, for preservation in the Anthology.

Your humble servant, J.

...

"NEAR this place is interred the body of Sir *William Phipps*, Knight; who in the year 1687, by his great Industry, discovered among the Rocks, near the Banks of *Bahama*, on the N. Side of *Hispaniola*, a *Spanish* Plateship, which had been under water 44 years, out of which he took in Gold and Silver to the value of 300000l. Sterling; and with a Fidelity equal to his conduct, brought it all to *London*, where it was divided between himself, and the rest of

the Adventurers: for which great Service he was knighted by his then Majesty King *James* the 2d; and afterward, by the Command of his present Majesty, and at the request of the Principal Inhabitants of *New England*, he accepted of the Government of the *Massachusetts*, in which he continued to the time of his Death, and discharged his Trust with that Zeal for the interest of his Country, and with so little regard to his own private Advantage that he justly gained the good Esteem and Affection of the greatest and best part of the Inhabitants of that Colony.

He died the 18th of February, 1694. And his Lady to perpetuate his Memory, hath caused this Monument to be erected."

POETRY.

ORIGINAL.

For the Anthology.

The following lines were written by Mr. Henry Joy, (nephew of a gentleman in Boston) who is pronounced by the friend who communicated them to us to be "truly a most excellent scholar." He is one of three Etonians who lately published the "Miniature," a periodical work which was favourably received by the publick, as evincing a wonderful maturity of knowledge and of taste in school boys. The young gentleman has since entered the university at Oxford, and this poem was written in his first term, and gained the prize.

Xειρῶν δεινοτάτος Κευταυγός.

QUI sævos inter comites probitatis et æqui
Assiduus fautor, sub quo præcepta mag-
istro
Hausere Heroes, sua qui mitescere sæc'la
Edocuit, carum Graiis Chirona poetis;
Sit mihi fas etiam tenui celebrare Camæna.

Hospitii immemorem mali dignum Ix-
iona cælo,
Quum falsâ illusit Junonis imagine nubes,
Progenuisse novo Centauros fertur amore
Durum immane genus: quos inter mag-
na refulsit
Saturni et Philyræ tanto splendore pro-
pago,
Quanto alias terræ glebas supereminet
aurum
Corpore semifero natus, sed mente an-
imoque
Concipiens divum nūmen, neque nomine
solum
Nec genitore viget, sed stirpe perennius
omni
Ipse sui fortis monumentum condit hon-
oris.

Anne igitur mirum tanti quum pon-
dere laudes
Fert animus, nimia si pondus materiæ
Turbat et incertum cohibet? redolenti-
bus Hyblæ
Qualis ubi arbustis, vel odori qualis *Hy-*
metti

Mollis apem luc illuc volitatem copia
lasset.
Quis etenim studiis, qua non inclaruit
arte
Phillyrides? Nemorum sapiens tranquilla
recessu
Tempora fallebat; rudia inter secula Mi-
nervae
Usque vacans, ausus quali per inane me-
atu
Sidera volvuntur scrutari atq.; orbibus
orbes
Mente sequi implicitos; citharae modo
pollice chordas
Divino pulsante, melos per amena vireta
Fundere suaviloquum, cuius dulcedine
captæ,
His latebris Helicona novem potuere so-
rores
Posthabuisse suum. Ipse etiam cœlestia
Apollo
Dona illi, et varios facilis superaddidit
artes.
Scire potestates herbarum et pocula docta
Nempe dedit miscere manu; stillantia
tabo
Vulnera lenire, et requiem cruciata dolori
Queis membra inveniunt succos insper-
gere molles
Neve pharetratâ sileam concessa Diana
Spicula Chironi; quo non solertior alter
Correptum validis arcum incurvare la-
certis,
Hortarive canes, aut prædam agitare fu-
gacem.

Ergo etiam studiis juveniles fingere a-
lumnos
Cordi erat, et multos quoniam cultura
per annos
Pectora ditârat, fructum impertire laboris.
Magnos inde animos et quot virtutibus
ætas,
Fertilis heroum genuit; stimulante ci-
tati
Non nisi Chironis summa ad fastigia ho-
norum
Pervenere manu et mortali *immunia* fato.
Impiger his tribuit prolongæ tempora
vitæ.
Sic etiam Antilochus, nequaquam igno-
bilis, illum
Præceptorem habuit, patrem qui Nestora
plenâ
Imbuerat sophiâ; quo præceptore disertus
Consilia eloquium atque omnes quascun-
que trahebat
Mentis opes; simul et decus et muni-
men *Achivis*.
Sic Anchisiades et cui sua fortiter arma
Apposuit, clarus Diomedes marte, peritum

Excoluere senem: et belli Diomede la-
bores
Qui serio prudens preferre solebat U-
lysses.

Castora quid dicam, quid fratrem Cas-
toris uidas
Sistere bellorum mirando et amore cel-
ebres?
Quid dicam Alcidem? Cujus super æ-
thera latè
Fama volat; cujus seros memoranda per
annos
Facta deum adjunxere choris, cœloq. lo-
carunt.
Teque, Coronides centauri hos inter a-
lumnos
Phæbigena; haud magni Soboles indigna
parentis:
Cui dedit ardenter morborum aut vul-
neris æstum
Arte salutari mollire; animaque fugacem.
Pallentes Erebi quum jam prope contigit
oras,
Cunctatum stabilire et vix non solvere
fato.

Ipse etiam docilem Chironi præbuit
aurem
Impiger Æacides Ea gloria prima
Pelasgis,
Hectoris exitium, Trojæ populatör,
Homero
Cui celebratus honor contemnit fata,
magistrum
Chirona extimuit: Chironis jussa fa-
cessens,
Qui manu eversas populorum diruit
arces.
Nomen Achilleum, et modo visa expalluit
arma
Ilion, at sacræ monitis tamen ille senectæ
Paruit haud signis; generoso hinc pec-
tus honesto
Imbutum, hinc famæ, vitam qui projectit
ardor,
Eja age, si quis honor Pelidem impellere
ad arma,
Atq. opera illius sua ritè vocavit Ulys-
ses;
Quæ me promeruit, quo dignus nomini
tantum
Pelidem; heroū tantum qui protulit
agmen;
Ora silent, animus decus ingens contem-
plando
Perculsum cœlo cumulatis laudibus æquat
Attamen hunc tandem, qui clarum
extollere lumen,
E tenebris primus potuit, tela illita viro

*Lernæo violant, miserisq: doloribus angunt.
Adgenuit teli infandam quum viderat
ansam
Amphitryoniades; per et alta cacumina
montes
Hæmonii, et saltus, arva et quæcunq:
Boötis
Lustrat Hyperboreus latè adgemuere
cavernis;
Et novus in medio sylvis nigrantibus hor-
ror.*

*Ille quidem immisso jam corde dolore
subactus,
Supplice voce Jovem implorat, quæ mor-
tis adempta est
Conditio ut reddat, vitæ neque damnet
amaræ.*

*Hisce favens precibus summi modera-
tor Olympi
Annuit, et liquido Chiron micat æthera
Sydus.*

Oxon. 1804.

For the Anthology.

LINES

ECCASIONED BY THE DEATH OF A
YOUNG LADY.

YE soft-eyed maids, whose vernal charms display
The opening sweets of youth's unclouded day :
The bright suffusions of whose cheeks declare,
No canker saps the blooming roses there :
Whose soften'd hearts no ruder passions move,
Than the sweet tumults of incipient love :
Come, go with me, and deck the earthy bed,
Where lovely Mary slumbers with the dead !

For she, like you, was innocent and gay,
And love's bright visions bless'd her early day :
And she, like you, possess'd each virgin grace,
Which love can fancy, or the Muses trace.

And come, ye youths, who in the festive throng,
Late tripp'd with her the sprightly dance along :
You who have listen'd to her accents mild,
And glowed with soft devotion, when she smil'd :
You who have felt the magick of her eye,
And breath'd, unconscious, the delicious sigh :
O ! come with us, and weave a garland meet
To deck our Mary's hallowed, last retreat.

Daughters of grief, who in life's roseate
dawn,
Mark'd sorrow's chilling clouds o'ercast the morn :
From whose wan cheek the early rose is fled,
And withering lilies hang the drooping head :

With willows fresh your fading brows entwine,
And go with us to deck a sister's shrine.

Come, come, and to the woodlands we'll away,
And gather all the sweetest flowers of May :
Nor dash the glistening dew-drop from the leaf,
Let it remain, chaste emblem of our grief.
And when we've cull'd each choicest flower, and
rare,
Sad, with our fragrant sweets, we will repair
To deck the grave, at sober evening's close,
Where Beauty, Love, and Innocence repose.

May, 1806.

SELECTED.

CANTATA.

By Matthew Prior.

RECIT.

BENEATH a verdant laurel's ample shade,
His lyre to mournful numbers strung,
Horace, immortal Bard, supinely laid,
To Venus thus address'd the song :
Ten thousand little Loves around,
Listening, dwelt on every sound.

ARIET.

Potent Venus, bid thy son
Sound no more his dire alarms.
Youth on silent wings is flown :
Graver years come rolling on.
Spare my age, unfit for arms :
Safe and humble let me rest,
From all amorous care releas'd.
Potent Venus, bid thy son
Sound no more his dire alarms.

RECIT.

Yet, Venus, why do I each morn prepare
The fragrant wreath for Cloe's hair ?
Why do I all day lament and sigh,
Unless the beauteous maid be nigh ?
And why all night pursue her in my dreams,
Through flowery meads and crystal streams ?

RECIT.

Thus sung the Bard ; and thus the Goddess spoke :
Submissive bow to Love's imperious yoke :
Every state, and every age,
Shall own my rule, and fear my rage :
Compell'd by me, thy Muse shall prove,
That all the world was born to love.

ARIET.

Bid thy destin'd lyre discover
Soft desire and gentle pain :
Often praise, and always love her :
Through her ear her heart obtain.
Verse shall please, and sighs shall move her ;
Cupid does with Phœbus reign.

THE CAVE.

By J. Macpherson, Esq.

THE wind is up, the field is bare ;
Some hermit lead me to his cell,
Where Contemplation, lonely fair,
With blessed Content has chose to dwell.

Behold ! it opens to my sight,
Dark in the rock ; beside the flood ;
Dry fern around obstructs the light ;
The winds above it move the wood.

Reflected in the lake I see
The downward mountains and the skies,
The flying bird, the waving tree,
The goats that on the hills arise.

The grey-cloaked herd drives on the cow,
The slow-paced fowler walks the heath ;
A freckled pointer scours the brow ;
A musing shepherd stands beneath.

Curve o'er the ruin of an oak,
The woodman lifts his axe on high,
The hills re-echo to the stroke ;
I see, I see the shivers fly.

Some rural maid, with apron full,
Brings fuel to the homely flame ;
I see the smoky columns roll,
And through the chinky hut the beam.

Beside a stone o'ergrown with moss,
Two well-met hunters talk at ease ;
Three panting dogs beside repose ;
One bleeding deer is stretched on grass.

A lake, at distance, spreads to sight,
Skirted with shady forests round,
In midst an island's rocky height
Sustains a ruin once renowned.

One tree bends o'er the naked walls,
Two broad-winged eagles hover nigh,
By intervals a fragment falls,
As blows the blast along the sky.

Two rough-spun hinds the pinnace guide,
With lab'ring oars, along the flood ;
An angler, bending o'er the tide,
Hangs from the boat th' infidious wood.

Beside the flood, beneath the rocks,
On grassy bank two lovers lean ;
Bend on each other amorous looks,
And seem to laugh and kiss between.

The wind is rustling in the oak ;
They seem to hear the tread of feet ;
They start, they rise, look round the rock ;
Again they smile, again they meet.

But see ! the grey mist from the lake
Ascends upon the shady hills ;
Dark storms the murmuring forests shake,
Rain beats,—resound a hundred rills.

To Damon's homely hut I fly ;
I see it smoking o'er the plain ;
When storms are past,—and fair the sky,
I'll often seek my cave again.

A FUNERAL HYMN.

By Mallet.

YE midnight shades, o'er nature spread !
Dumb silence of the dreary hour !
In honour of th' approaching dead,
Around your awful terrors pour.
Yes, pour around,
On this pale ground,
Through all this deep surrounding gloom,
The sober thought,
The tear untaught,
Those meetest mourners at a tomb.

Lo ! as the surplic'd train drew near
To this last mansion of mankind,
The slow sad bell, the sable bier,
In holy musing wrap the mind !
And while their beam,
With trembling stream,
Attending tapers faintly dart ;
Each mould'ring bone,
Each sculptur'd stone,
Strikes mute instruction to the heart !

Now let the sacred organ blow,
With solemn pause, and sounding slow ;
Now let the voice due measure keep,
In strains that sigh, and words that weep ;
Till all the vocal current blended roll,
Not to depress, but lift the soaring soul :

To lift it in the Maker's praise,
Who first inform'd our frame with breath,
And, after some few stormy days,
Now, gracious, gives us o'er to death.
No King of Fears
In him appears,
Who shuts the scene of human woes :
Beneath his shade
Securely laid,
The dead alone find trae repose,

Then, while we mingle dust with dust,
To One, supremely good and wise,
Raise hallelujahs ! God is just,
And man most happy when he dies !
His winter past,
Fair spring at last
Receives him on her flowery shore ;
Where pleasure's rose
Immortal blows,
And sin and sorrow are no more !

EULOGY ON LAUGHING.

By J. M. Sewall.

Delivered at an exhibition, by a young lady.

LIKE merry Momus, while the Gods were quaffing,

I come—to give an eulogy on laughing !
True, courtly Chesterfield, with critick zeal,
Afferts that laughing's vastly ungenteel !
The boist'rous shake, he says, distorts fine faces,
And robs each pretty feature of the graces !
But yet this paragon of perfect taste,
On other topicks was not over-chaste ;
He like the Pharisees in this appears,
They ruin'd widows, but they made long pray'rs.
Tithe, anise, mint, they zealously affected,
But the law's weightier matters lay neglected ;
And while an insect strains their squeamish caul,
Down goes a monstrous camel—bunch and all.

Yet others, quite as sage, with warmth dispute
Man's risibles distinguish him from brute ;
While instinct, reason, both in common own,
To laugh is man's prerogative alone !

Hail, rosy laughter ! thou deserv'ft the bays !
Come, with thy dimples, animate these lays,
Whilst universal peals attest thy praise.
Daughter of Joy ! thro' thee we health attain,
When Esculapian recipes are vain.

Let sentimentalists ring in our ears
The tender joy of grief—the luxury of tears—
Heraclitus may whine, and oh ! and ah !—
I like an honest, hearty, ha, hah, hah !
It makes the wheels of nature gliblier play ;
Dull care suppresses ; smooths life's thorny way ;
Propels the dancing current thro' each vein ;
Braces the nerves ; corroborates the brain ;
Shakes ev'ry muscle, and throws off the spleen.

Old Homer makes yon tenants of the skies,
His Gods, love laughing as they did their eyes !
It kept them in good humour, hush'd their squabbles,

As froward children are appeas'd by baubles ;
Ev'n Jove, the thund'rer, dearly lov'd a laugh,
When, of fine nectar, he had taken a quaff !
It helps digestion when the feast runs high,
And dissipates the fumes of potent Burgundy.

But, in the main, tho' laughing I approve,—
It is not ev'ry kind of laugh I love ;
For many laughs e'en candour must condemn !
Some are too full of acid, some of phlegm ;
The loud horse-laugh (improperly so stil'd,)
The ideot simper, like the flump'ring child,
Th' affected laugh, to shew a dimpled chin,
The sneer contemptuous, and broad vacant grin,
Are despicable all, as Strephon's smile,
To shew his ivory legions, rank and file.

The honest laugh, unstudied, unacquir'd,
By nature prompted, and true wit inspir'd,
Such as Quin felt, and Falstaff knew before,
When humour set the table on a roar ;
Alone deserves th' applauding muse's grace !
The rest—is all contortion and grimace.
But you exclaim, "Your Eulogy's too dry ;
"Leave dissertation and exemplify !
"Prove, by experiment, your maxims true ;
"And, what you praise so highly, make us do."

In troth ! hop'd this was already done,
And Mirth and Momus had the laurel won !
Like honest Hodge, unhappy should I fail,
Who to a crowded audience told his tale,
And laugh'd and snigger'd all the while himself
To grace the story, as he thought, poor elf !
But not a single soul his suffrage gave—
While each long phiz was serious as the grave !

Laugh ! laugh ! cries Hodge, laugh loud ! (n^o
halfing)
I thought you all, ere this, would die with laugh-

This did thefeat ; for, tickled at the whim,
A burst of laughter, like the electrick beam,
Shook all the audience—but it was at him !
Like Hodge, should ev'ry stratagem and while
'Thro' my long story, not excite a smile,
I'll bear it with becoming modesty ;
But should my feeble efforts move your glee,
Laugh, if you fairly can—but not at ME !

AN EPITAPH.

By Prior.

"Stet cuicunque volet potens
"Aulae culmine lubrico," &c. SENEC.

INTERR'D beneath this marble stone
Lie faunting Jack and idle Joan.
While rolling threescore years and one
Did round this globe their courses run ;
If human things went ill or well,
If changing empires rose or fell,
The morning past, the evening came,
And found this couple still the same.
They walk'd, and eat, goods folks : what then ?
Why then they walk'd and eat again :
They soundly slept the night away ;
They did just nothing all the day :
And, having bury'd children four,
Would not take pains to try for more.
Nor sister either had nor brother ;
They seem'd just tally'd for each other.

Their moral and economy
Most perfectly they made agree :
Each virtue kept its proper bound,
Nor trespass'd on the other's ground.
Nor fame nor censure they regarded ;
They neither punish'd nor rewarded.
He car'd not what the footman did ;
Her maids she neither prais'd nor chid ;
So every servant took his course ;
And, bad at first, they all grew worse.
Slothful disorder fill'd his stable,
And sluttish plenty deck'd her table.
Their beer was strong ; their wine was port ;
Their meal was large ; their grace was short.
They gave the poor the remnant meat,
Just when it grew not fit to eat.

They paid the church and parish rate,
And took, but read not, the receipt ;
For which they claim their Sunday's due,
Of slumbering in an upper pew.

No man's defects sought they to know ;
So never made themselves a foe.
No man's good deeds did they commend ;
So never rais'd themselves a friend.
Nor cherish'd they relations poor,
That might decrease their present store :
Nor barn nor house did they repair ;
That might oblige their future heir.

They neither added nor confounded ;
They neither wanted nor abounded :
Each Christmas they accompts did clear,
And wound their bottom round the year :
Nor tear nor smile did they employ
At news of publick grief or joy :
When bells were rung, and bonfires made,
If ask'd, they ne'er deny'd their aid :
Their jug was to the ringers carried,
Whoever either died or married.
Their billet at the fire was found,
Whoever was depos'd or crown'd.

Nor good, nor bad, nor fools, nor wise ;
They would not learn, nor could advise ;
Without love, hatred, joy, or fear,
They led—a kind of—as it were :
Nor with d, nor car'd, nor laugh'd, nor cried
And so they liv'd, and so they died.

THE BOSTON REVIEW,

FOR MAY, 1806.

Liberum tuum legi & quam diligentissime potui annotavi, quæ commutanda, quæ eximenda, arbitrarer. Nam ego dicere verum assuevi. Neque ulli patientius reprehenduntur quam qui maxime laudari merentur.—Pliny.

ART. 19.

One God in one person only ; and Jesus Christ a distinct being from God, maintained and defended. By John Sherman, pastor of the first church in Mansfield, (Con.) Worcester. I. Thomas, jun. 1805. 8vo. pp. 198.

WHEN we saw this book announced, we knew not whether its appearance was to be deprecated as a signal of theological warfare, or whether it should be hailed as the harbinger of awakened learning, inquiry, and industry among our clergy. Though the trinitarian controversy has now existed more than sixteen centuries, and was kept up in England during the whole of the last age with little intermission, first with the Arians, and afterwards with the Socinians, yet we believe that the present treatise is one of the first acts of direct hostility against the orthodox, which has ever been committed on these western shores. Coming so late as Mr. S. now must to the scene of action, he can hope to attack or to defend only with weapons stripped from the bodies of the slain, who are heaped in heavy piles on the field of theological disputation.

The present work, we observe, is not written to establish any new opinion respecting the character of Christ, but is confined merely to a denial of his deity in general,

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and the received doctrine of the trinity in particular. In the following review we shall endeavour to give an impartial account of the work ; to correct any palpable errors of fact ; occasionally to point out deficiencies ; and sometimes to censure and sometimes to commend, without enlisting ourselves under the banners of Mr. Sherman or his antagonists.

In the introduction Mr. S., after some remarks on the speculative differences among christians, and the necessity of religious catholicism, prepares his reader for his occasional deviations from the received text and translation of the scriptures by vindicating the propriety of such alterations from the constant improvement in biblical criticism, from the history of our present English version, and lastly, from the authority of the Saybrook assembly, which declares, "that the originals of the Old and New Testament are the final resort in all cases of controversy." The occasion of publishing this work and the situation of the author are set forth in the following passage.

My sentiments becoming different, from those believed and avowed at my ordination, honesty compelled me frankly to declare them, notwithstanding the evils, which the state of the times gave me to foresee, would undoubtedly be realized in consequence. I have not been disappointed.

The publication of my sentiments gave umbrage to the Original Associa-

tion of Ministers in the county of Windham ; and they proceeded to expel me, on this account, not only from their body, as a voluntary Association, but from all “ministerial connexion.”

It was my intention to have published a general statement of the manner in which this affair was brought to its crisis. But for certain reasons which I did not sufficiently consider, it is at present withheld. I would only observe, that, by the decree of the Association, or any decrees which, *as a body of mere Ecclesiasticks, without appointment from the churches, without their sanction, and without pursuing the regular discipline pointed out by our Lord,* they may assume the authority to make, I consider my good christian and ministerial standing not in the least degree impaired. Were they an ecclesiastical court, known in the scriptures; had they charged me with crime, with a breach of the divine law to mankind; and were there any other kind of iniquity found cleaving to my garment, than that *I cannot see with their eyes, and perceive with their understandings;* I might consider myself as affected by their decision. But, as the matter now stands, I feel the authority of the Lord Jesus still resting upon me, and shall not desert my ministerial office. They, and others who shall subscribe to their doings, may treat me according to their pleasure: There is One that judgeth between us. To HIM shall the appeal be made.

The work is divided into two parts. In the first the author endeavours to shew “that the passages and considerations alleged in favour of the supreme and independent deity of Christ do not establish such doctrine concerning him.”

In the first section, those passages are examined, which represent Christ as the *creator of all worlds.* These are John i. 1—14. Col. i. 16, 17. Heb. i. The proem to John’s gospel has long been the *crux antitrinitarianorum.* They have agreed in nothing but to wrest it from the hands of the orthodox, but have never been able to convert it into an auxiliary. Though some of the early Polish Socinians thought they could apply all its

high and obscure expressions to the entrance of Christ on his publick ministry, L. Crellius wasted an immensity of learning to make it probable that we should read θεος instead of θεός in the first verse; Clarke and the Arians are contented with affixing to θεός without the article a subordinate sense; the more modern Unitarians suppose that the word λόγος does not here signify a person, but only an attribute of Deity, and that there is no unequivocal intimation of Christ till the 8th verse; and last of all, a critick, whose familiarity with scriptural phrases and terms is not inferiour to the knowledge of any of his predecessors, Newcome Cappe, has ventured to restore and vindicate the original interpretation of Socinus. Mr. S. adopts the most common explanation of the Unitarians, that by λόγος is intended the reason, or wisdom of God, which the evangelist eloquently personifies. We find some remarks on the use of the preposition πρός, and the word ἐκκλησία, which are not unimportant, and then are called to the famous passage in Col. i. 16, 17.

The difficulties, which attend the explanation of these verses, as referring to the new moral creation, or rather organization under the gospel, are not a few; and Mr. S. has in some degree injured the plausibility and compactness of his own interpretation by not sufficiently attending to the propriety of clearly referring all the clauses without exception either to one creation or the other. Hence we think he should have admitted no other interpretation of πρωτότοκος τῆς κτίσεως than this, “first-born or most eminent of the whole creation;” in the same sense in which Christ is elsewhere styled “*first born among many brethren,*” Rom. viii.

29. Mr. S. also argues in favour of the identity of the agency attributed to Christ in the 16th and in the 20th verses, from the use of the same preposition "by" in our English version; when he must have recollect, that in the original *εν* is used in the former, and *δια* in the latter clause. This variation, though it does not destroy the force of the argument, yet deserved to be noted. By "things in heaven" Mr. S. supposes are meant, Jews, and by "things in earth," Gentiles. The passages, quoted to illustrate this meaning of the words, certainly prove no such application; for though by "new heavens and new earth," in Isaiah, is probably intended the flourishing state of the christian church, in which Jews and Gentiles are included, we have never yet seen any passage which decisively shows, that Gentiles are ever described under the figure of the earth, or Jews under that of heaven.

In the second section are examined the proofs of Christ's *omnipotence*, which are usually drawn from the introduction to the epistle to the Hebrews. On this passage the author is unusually lucid; and congratulates himself on having derived from it "substantial and invincible evidence of the truth of his doctrine."

In the third section are considered the texts, which are supposed to teach the *omniscience* of Christ. Here we think the author quarrels unnecessarily with our English translation of Rev. ii. 23. The expressions which he would substitute are not nearer to the original, than those which he condemns.

Section fourth contains a long quotation from Christie to explain John iii. 13. The author then en-

deavours, though with no peculiar ingenuity, to obviate the proofs from other texts of Christ's *omnipresence*. The passages which are adduced to prove the *eternity* and *immutability* of Christ are examined in the two next sections, and in the seventh the power which our Saviour exercised on earth of *forgiving sins* is discussed with much learning and acuteness. The distinction is pointed out between *ἐλεημοσία* and *ἀφενέσις*; it is shown that the former, derived from *εἰτι*, *it is lawful*, conveys the idea of licence, legality, or a moral right to exercise authority; and that it is the word used by our Saviour to signify the power of forgiveness which he exercised on earth. It is afterwards maintained and confirmed by the authority of Calvin, Macknight, and Pool, that the forgiveness of the sins of the paralytic in the passage in question means only his deliverance from his disorder. This Jewish mode of speech is then illustrated by several passages in Isaiah, and a similar representation from the New Testament is produced in the following passage. The argument we do not recollect to have seen stated before with equal acuteness.

A very plain example of similiar representation occurs in the New Testament. "Then said Jesus unto them again, Peace be unto you: As my Father hath sent me, even so I send you. And when he had said this, he breathed on them and said unto them, Receive ye the holy ghost. Whosoever sins ye remit they are remitted unto them; and whosoever sins ye retain they are retained." But were the Apostles endowed with the power of forgiving the sins of men, or fixing their sins upon them in the literal sense of this phraseology? All that can be said, concerning them in this respect, is, that *they had the power of healing all manner of diseases, and inflicting judgments on such as opposed them in the performance of the duties of their mission*. Accordingly we

find, that Paul caused the sins of Elymas, the sorcerer, to be retained, by fixing blindness upon him, for labouring to turn away the deputy from the faith. This was the extent of the Apostle's power to forgive and retain sins. This therefore was all that Christ himself possessed, while here on earth. For he told them, that, as the Father had sent him, so he commissioned them; i. e. with the same power to forgive and retain sins which he possessed. There can be no question then, that, by forgiving the sins of the paralytic, our Lord meant nothing more than healing him of his disorder, taking away the consequence of that intemperance, of which he had been guilty. Hence our Lord replies to the malicious wresting of his words by the Pharisees, *Whether is it easier to say, Thy sins be forgiven thee? or to say, Arise and walk?* i. e. What matter is it about the expressions, which we use, if they are but intelligible? Which best conveys the idea of cure, to say in the language of the prophets, which you cannot but understand, *Thy sins be forgiven thee?* or to say in plain common language, *Arise and walk?* Surely you display a captious disposition in cavilling about words. *But, that ye may know that the Son of man hath authority on the earth to forgive sins,* to take away the diseases which come upon men for their sins, *then saith he to the sick of the palsy, Arise, take up thy bed, and go into thine house.* p. 60.

The eighth section contains a very full discussion of the use of the word *worship* in the Old and New Testament, in order to prove, what we believe no one will deny, that "there is nothing in the word *προσκύνειν* itself, which confines it to divine homage. The kind of homage implied in any particular instance is to be decided by the circumstances under which it is paid." P. 62.

The next section is employed in examining several important texts, in which *names and titles* appropriated to God appear to be given to Christ. We have not room to pass every criticism in review before us; a few remarks on some erroneous suppositions of Mr. S. may not be unprofitable.

On the original of John xx. 28. Mr. S. makes the following observation:

Both *κυριος* and *Θεος*, Lord and God, are in the nominative, and require some verb to succeed, in order to make sense. *Θεος* God, is, indeed, often used, for the vocative. But we have never seen an instance of this use of *κυριος* Lord. It is believed, that there is no example of it in the scriptures.

What does Mr. S. think of John xiii. 13. *ὑμεῖς φανερεῖτε με, ὁ διδάσκαλος, καὶ ο κυριος?* He had better also have forborn to supply, what he supposes to be the ellipsis in this exclamation of Thomas.

Jerem. xxiii. 6. "His name shall be called Jehovah our righteousness." On this appellation Mr. S. observes, "Christ is here called, in Hebrew, Jehovah—*Tsidkenu*. Abraham, that Father of the faithful, called the mount, on which he was to sacrifice his Son, Jehovah—Jireh. Moses built an altar and called it JEHOVAH Nissi—Gideon built an altar and called it JEHOVAH—Shallum. Yea, when David brought up the ark, from the house of Obededom, to the city of David, he styles it, in his song on the occasion, both *God* and *Jehovah*; *God is gone up with a shout, the Lord (Heb. Jehovah) with the sound of the trumpet.* Thus evident is it, that Jehovah is not a name appropriated only to the supreme God." Here we think the zeal of the author has rather overleaped his good sense, and led him to express himself inaccurately. If any thing is plain from the Old Testament, it is, that the title Jehovah can in strictness of speech be given to none but the only true God. Because it is sometimes used in composition with other words, as in the instances above cited, to constitute a name, it cannot with any more propriety be said, that per-

sons or things thus nominated are called Jehovah, than that the city Elizabethtown is called Elizabeth. Surely also it cannot be supposed by any person, who attends to the subject, that, in the passage which Mr. S. has quoted from Psalm xlvi., the ark is called either God or Jehovah.

We are also satisfied that the author is mistaken in his interpretation of Isaiah viii. 14. compared with 1 Pet. ii. 8; but we can only refer him to a most valuable note of the learned James Peirce, on Heb. ii. 13., and also to Dodson on this passage in Isaiah; for the limits of our review, and perhaps others will say of our knowledge, do not allow us to expatiate in elaborate criticism, and copious illustration.

"We now proceed to examine," says Mr. S. in the next section, "such passages as are said to indicate or imply *two natures* in Christ, a divine and human nature." After stating the arguments in favour of the reading *ο* in 1 Tim. iii. 16. Mr. S. offers the following translation of a passage, which, we believe, will forever excruciate the wit of the antitrinitarian.

Indeed openly proclaimed to all ranks and descriptions is the sublime mystery of godliness, which has been made known to mortal man, substantiated by miraculous attestations, revealed to inspired messengers, preached to the nations, credited by the world, embraced with joyful exultation.

Mr. S. must pardon us for our opinion, that he derives not his principal credit from his original attempts at Greek criticism. He makes several remarks to justify his unnecessary and paraphrastick version of ὁμολογεῖν, a word to which *confessedly* in English exactly corresponds.

Ἐν σαρκὶ (in Mr. S.'s version, *to mortal man*) cannot be justified by any parallel passage in scripture, and hardly by the Greek idiom; *εφη* is never used in the passive to express the disclosure of truths to the understanding; and finally, it is too much to say that the verb *αναλαμβάνω* no more signifies to receive *up*, than it does to receive *down*." Though its classical use is undoubtedly extensive, yet in the New Testament it is repeatedly used to signify the assumption of Jesus into heaven. Indeed whether *ο*, or *ος*, or *θεος* be the true reading in this celebrated text, we think every impartial theologian must confess that the subsequent clauses can be properly applied to a person only, and to no person but Jesus Christ.

Mr. S. conjectures that *him* is the true reading in Zach. xii. 10. He might have added, that Kennicott assures us it is found in forty Hebrew MSS. to which De Rossi has added the authority of several editions.

On the celebrated prediction of the birth of Jesus in Isaiah vii. 14. we have much to observe, but this is not the place for our remarks. We will only suggest, that if this prediction, as Mr. S. supposes, does not relate to the birth of Christ, there is no literal prediction of his birth in the Old Testament. It is true that many illustrious names in scriptural criticism, among whom we may mention Grotius, support Mr. S. in his opinion; but it should be recollected, that they also maintained a double sense of the prophecy, whereas Mr. S. with Porphyry, the modern Jews, and the subtle Collins not only contends that the name Immanuel belongs only to the child which the prophetess of that time was to conceive, but far-

ther supposes that the evangelist in Matth. i. 23. does not mean to apply it in any sense, as a *prediction* of the birth of Jesus. Mr. S. ventures also to intimate his doubt whether Isaiah ix. 6, 7. has any reference to Christ. We are fully sensible of the difficulties, which attend the application of prophecies under the old dispensation to characters and events in the new, but we are not yet prepared to give up these capital predictions, though they have always perplexed the apologist for christianity, as well as the controversialist. We think also that a more full and accurate account of the variations of the different versions in this latter passage might have been expected.

Section twelfth, upon the *pluralisms* applied to God in the Old Testament, and section thirteenth, upon the appearances of what is called *the angel of the Lord*, are written with much ability; and a consideration of two very popular objections, in section fourteenth, closes this part of the work. In answer to the question what atonement can there be, if Christ be not verily the supreme God, Mr. S. has the following observations.

Did the supposed *divine nature* become obedient unto death, even the death of the cross? Did divinity itself suffer? Our opponents do not pretend it. This is true only of *the man Christ Jesus*. Whatever virtue in his obedience unto death, must therefore be the virtue of the man Christ Jesus only.

But, say our opponents, the union of divinity to the humanity conferred an infinite dignity upon the sufferings of the human nature, and rendered them infinitely precious, so as to amount, in effect, to the eternal sufferings of the whole human race. Thus Christ satisfied the demands of justice, in the room and stead of our apostate world.

The doctrine that the union of the divinity to humanity conferred an infinite

dignity upon the sufferings of the human nature, is only an imagination of their own brain; for the scriptures say nothing of this absurdity. They say nothing of the virtue of his sufferings being enhanced by any such connexion. If the union of Deity to humanity rendered the humanity any thing different from mere humanity; if it raised it beyond its natural dignity to the dignity of God; why may we not conclude, that it rendered it *impossible, incapable of suffering?* This, in the days of the apostles, was the conclusion of certain metaphysical reasoners. And it may be as well inferred, from the consideration of the union of Deity to humanity, that Christ must have been *impassible*, as that the sufferings of the man Christ Jesus were infinitely more than human sufferings.

It was, say our opponents, *a divine person*, who suffered; and therefore these sufferings were precious, in proportion to the dignity of the personage suffering. They will have it that it was GOD, who died on the cross.

That Christ was really the infinite God, is a doctrine not known in the scriptures. Besides, may we not turn the tables and say, that God's hungering and thirsting, in the human nature, after earthly food, was infinitely derogatory from the dignity of the divine nature, as to affirm, that God's suffering on the cross, in the human nature, conferred an infinite dignity upon that, and rendered its sufferings inconceivably more precious, than merely human sufferings? Sufferings surely denote great weakness, want of strength, and dignity of nature. And, since the infinite God suffered, he must be very *weak, impotent, and devoid of dignity...*

Do our opponents dislike this representation? Will they say that these things are true only of the human nature, the man Christ Jesus? Then let them not confound things which they themselves distinguish. Let them acknowledge, that the sufferings of the man Christ Jesus were clothed with no other than merely human dignity; and were no more precious than merely human sufferings. Let them look out for some more scriptural and rational doctrine of atonement: For there is, clearly, no more ability in the man Christ Jesus to satisfy divine justice, upon their scheme, than upon ours. P. 142.

The second part is introduced by the following statement,

Having shown upon what grounds we are not convinced, by the arguments of the advocates for the supreme and independent deity of Christ, we proceed to state what appears to us *direct and positive proof, that Christ is not the most high God, but a being entirely distinct from God, inferior and dependent, his Son, servant, messenger, &c.*

In what follows there is nothing remarkable, because if Christ is really a human being only, there cannot be much room for laborious criticism or ingenious illustration of passages in which he is represented as a man. The parade of mathematical reasoning in page 147 is, we think, childish and unnecessary. The remarks in section 2, upon the meaning of the word *son*, are acute, and upon the prayer of Christ upon the cross, forcible. To prove Christ a distinct and dependent being, we have found no place in the present volume, where the reasons are more forcibly stated than in the following passage.

We come, now, to a very memorable passage, which embraces the whole economy of Christ's exaltation, and which states minutely the duration and issue of it. "Then cometh the end, when he shall have delivered up the kingdom to God, even the Father, when he shall have put down all rule, and all authority and power. For he must reign till he hath put all enemies under his feet. The last enemy that shall be destroyed, is death. For he hath put all things under him. But, when he saith all things are put under him, it is manifest that he is excepted, which did put all things under him. And, when all things shall be subdued under him, then shall the Son also himself be subject unto him that put all things under him, that God may be all in all." In this passage the following things are worthy of observation.

1. The Son is spoken of under his highest designation. This the most eminent advocates of his deity are compelled to acknowledge; for he is spoken of in the capacity of ruling and governing all things, and subjecting every thing to his dominion, excepting the infinite God: Which they say is beyond the power of a creature to perform.

2. He is represented as a distinct being from God.—To God he is to deliver up the kingdom, and God is excepted from the number of beings to be subjected to him; which manifests that God is as distinct a being from him, as those not excepted. Indeed if he were not thus distinguished, there would be no propriety in making the exception.

3. The extraordinary powers by which he puts down all rule and authority, and subdues all things to himself, are represented as not inherent, but delegated powers from that God, "who did put all things under him."

4. Immediately after the subjection of the last enemy, death, the Son is to relinquish the management of the kingdom to God.

5. Then the Son himself is to become a subject to him, who did put all things under him. The meaning of this plainly is, that the Son shall then descend from his exalted state of authority. He shall no longer be the ostensible governour, vicegerent, or medium through whom God rules and manages all things; but shall appear in his own natural rank, without any authority over his fellow subjects; and God shall govern without any vicegerent.

The whole of the above account coincides, perfectly, with our scheme of sentiment; and is directly in the face of the sentiment of our opponents. According to their scheme the Son humbles himself to become Mediator; and is, as mediator, inferior to the Father. Upon the conclusion of the mediatorial work, then, he must *rise to his former station*, and take equal rank with the Father. But this passage represents that he is *to take a lower station than he now has*, and to become subject to him, who put all things under him.

Besides, how can the Son, as mediator, become subject when he ceases to hold that character? What is it that is to be subject, if not the second person in the Trinity?

Further. Our opponents suppose that, when the economy of redemption is finished, the mediator is to deliver up the kingdom into the hand of God; that is, of the three persons jointly, between whom there will no longer be any economical subordination. But this passage asserts, that it is to be delivered into the hands of God the Father, *the first person*; who is here represented as having put all things under him. So that the Son and the Holy Ghost will not hold a rank equal to the Father's.

Moreover, as no one is excepted from subjection to the mediatorial Son, but he who did put all things under him, which is the Father from whom the Son received the kingdom, and to whom he delivers it up, it is plain, that the Holy Ghost is not excepted, and must be one who is subjected to the Son. And as the Son is to give all that government which he received into the hands of the Father, he must give the government over the Holy Ghost into his hands, so that at the conclusion of the economy of redemption the Holy Ghost will still be under the rule of the Father: Contrary to their doctrine on this subject.

Finally, If the Son is to deliver up the kingdom to the three persons jointly considered, then he must deliver up the kingdom to himself, he being one of these persons. P. 168.

We wish that we had room to extract the remarks on the form used in baptism, and on the term **Holy Spirit**. But we can only say of the last section, that, in our opinion, it is the most ingenious, plausible, and impressive in the whole volume. We do not say *conclusive*, for this reason, among others, that we might be thought to intend a pun.

The style of Mr. S. though not flowing and polite, is generally correct, and sufficiently elegant for polemick writings. We think that he is sometimes too familiar, and sometimes too dogmatical. His mode of attacking his adversaries resembles more the untutored and natural dexterity of a rustick boxer, than the graceful flourishes of a practised fencing master. By declining to establish any scheme of his own, relating to the person of Christ, it is evident, that Mr. S. combats the trinitarians with much advantage. Other controversialists have commonly wasted their strength in defending some heretical offspring of their own brain, and by this incumbrance have exposed themselves to more formidable attacks, as a

man fights under great disadvantages with a child in his arms.

We have been thus copious in our account of this book, on account of the novelty, the boldness, and the force of the attack which it makes on a doctrine, which is at least professedly believed by a large majority of the clergy of New-England. If they read this book, they will be sensible that it must either be answered, or thrown by with affected contempt; for though it contains not an argument against the doctrine of the trinity which has not been often repeated, still it offers a kind of challenge to the orthodox, and is written, we believe, with the most undissembled conviction. Let the inexperienced reader however keep in mind, "that one great advantage possessed by the Unitarians in their warfare with the orthodox results from the very circumstance of their being the assailants. If the Unitarians or even the Deists were considered in their turn as masters of the field, and were in their turn attacked, both by arguments tending to disprove their system directly and to disprove it indirectly, it is likely they would soon appear wholly unable to keep their ground."*

* Wilberforce.

ART. 20.

Familiar Letters to the Reverend John Sherman, once pastor of a church in Mansfield, in particular reference to his late Anti-trinitarian treatise. By Daniel Dow, pastor of a church in Thompson, (Con.) Hartford. 1806. 8vo. pp. 51.

FROM this familiar letter writer the person of Mr. Sherman is in much greater danger than his ar-

gments. Our readers perhaps will esteem us partial, uncandid, and heretical for such an apparently contumelious remark; but we confidently rest our justification on their unbiassed judgment, if they should ever happen to read these letters, which discover the utmost contempt of scriptural criticism, ignorance of theological opinions, impudence of style, and bigotry of doctrine.

ART. 21.

American Annals ; or a chronological history of America from its discovery in 1492 to 1806. In two volumes. By Abiel Holmes, D. D. A. A. S. minister of the first church in Cambridge. Vol. I. comprising a period of two hundred years. Cambridge. W. Hilliard. 8vo.

IN Rome the people were careful to mark down the occurrences of every year. Hence the name of Annals. This register was safely preserved, but at the same time exposed to publick inspection, that every one might read it, and every error be corrected by those who could give the most accurate information. The affairs of that city and empire are therefore better known, than the rise and progress of other nations. We know not only what was done by their consuls, but even the names of the consuls, from Brutus and Collatinus to the destruction of the empire. If similar records had been kept and preserved in other nations, or if historical societies were formed in every community, who should make it their business to note transactions rather than to write upon the times, the advantages resulting to the cause of truth

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would be exceedingly important. Such institutions would at least provide instruction for those grave and sober-minded readers who look after facts, instead of seeking for amusement in fabulous stories.

Individuals have done this among ourselves. The fathers of New England, though in some things too superstitious, were careful to note down, not only what was extraordinary or marvellous, but also common events, the occurrences of the year, the names of persons who were raised to honour, together with many particular circumstances by which posterity might judge of their characters. *Winthrop, Johnson, and Prince* enabled *Hubbard, Neal and Hutchinson* to give very correct information of the affairs of Massachusetts.

We say nothing of the *Magnolia*, that *complages rerum*, where facts, fables, biography, &c. &c. are mingled in such a strange manner, as to be a chaos of remarks, rather than of materials ; and where the writer, whenever he tells what he himself believes, is sure to stagger the faith of others.

Dr. Holmes has extended the plan of his work and calls it *American Annals*. "While local histories of particular portions of America have been written, no attempt, he says, has been made to give even the outline of its entire history." We think him very capable of doing this, and that the *American Annals* contain a great deal of information ; many historical documents ; and a variety of knowledge, for which the laborious author deserves the thanks of the friends of literature. Dr. H. is well known as an author, many of his compositions are before the publick, and very few works of

biography, written in this country, can be compared with his *life of Dr. Stiles*. The *Annals*, in our opinion, must add to his reputation as an author, and the work will certainly be more generally useful.

It has been uniformly his aim "to trace facts, as much as possible, to their source." Original authors have the preference; and this is an apology "for the occasional introduction of passages, that will not be generally understood." These are put into marginal notes, and may gratify a number of his readers. We are likewise pleased with his retaining the obsolete style and orthography of certain writers; for by this we may know more of them, and their works. Many think this useless, and that it only incumbers the pages; but certainly we want "the marks of authentick documents"; and why should not the antiquary be gratified with his dry morsel, as well others who relish the luxury of sentiment, and are sometimes very fastidious in their taste?

We know not a better plan of writing annals, than the Dr. has chosen, especially if the book be designed for a library; instead of being once read and thrown aside.

His accuracy of research would have been unnecessary, if it were not to be considered as a book of reference, to which we resort when our attention is dissipated, and which will be useful to some who have time to read but little, and who can here gather facts, that before were scattered over many volumes.

We have read with pleasure many observations and lively remarks in the American Annals, especially in the Notes, which an ordinary writer would never make, even in a book designed for entertainment more than use; but

which men of taste and sentiment can scatter over the driest parts of learning.

The first volume comprises the history of two centuries, i. e. from the voyage of Columbus, 1492, to the year 1562.

The annals of 1691 are confined to New-York, and Virginia, and to a few facts. *The province was divided into ten counties. Major Schuyler with a party of Mohawks went over Lake Champlain and attacked the French settlements.*

There were some events, however, very important to Massachusetts, which took place that year. The cruelty of the Indians was excessive upon our frontiers; and the famous Charter of William and Mary was granted. Perhaps Dr. H. reserves the notice of this to the succeeding year, when it arrived and was accepted by the people. As it is one of the very important events in the history of New England, we hope he will give some account of the struggles of our agents in England, and the very important change that was made in the government. The old patriots never liked it. The more moderate, as well as the loyal party, always thought it was better than the old one; as it put some check upon the phrensy of democracy, at the same time that it secured all our essential rights. We would recommend to the consideration of this respectable inquirer a curious extract in the 9th volume of Historical Collections—the conversation between King William and Dr. Increase Mather.

It is the earnest wish of all who have read this first volume of American Annals, that the second may soon appear, and that Dr. Holmes may meet with every encouragement in car-

rying on a work of such a considerable magnitude among our literary productions.

The first hundred pages relate to the voyages which were made by the Spaniards, or other nations of Europe, before the English adventurers took any distinguished part.

Another hundred pages describe events previously to the settlement of New Plymouth.

Though modern writers are quoted, and references are made to the pages where events are recorded, it is evident, that the author has read the original writers; and he also quotes from them both in the original and the translation. Herrera, Peter Mutza, Diaz, Casas, &c. as well as Robertson and Clavigero.

Robertson, so much celebrated among the historians of modern Europe on account of his manly and beautiful style, is not so much to be depended upon for facts, as many who appear in a more plain dress. He is accused by Clavigero and others of great partiality; and his mind might be above that very minute attention to things, which an Annalist should make the object of his care. Dr. H. says, in a note upon the discovery of America, "Some Spanish authors have ungenerously insinuated that Columbus was led to this great enterprise by information of a country to the West, with the additional advantage of a journal," &c. He refers to Hackluyt and Robertson, Appendix, No. 17. for a confirmation of this. There was no necessity of touching upon this controversy in his Annals. He had only to mention the voyage of Columbus. But if he said any thing, he ought to have said more. Since the discussion of Robertson, the matter has been more disputed than ever, and

not by Spaniards only. Mr. Otto wrote a paper upon this subject in the second volume of the Transactions of the American Philosophical Society, which has been reprinted in more than one country of Europe; and endeavours to prove by Robertson's concessions, as well as additional evidences, that Columbus was assisted very much by Martin Behem, who sailed in 1484 from Portugal, and discovered Brazil, and other parts of S. America.

"In 1492 the Chevalier Behem undertook a journey to visit Nuremberg, his native country. He there made a terrestrial globe, which is looked upon as a masterpiece for the time, and which is still preserved in the library of that city. The outlines of his discoveries may there be seen under the name of Western Lands, and from their situation it cannot be doubted they are the present coasts of Brazil," &c.

"This globe was made the same year Columbus sat out on his voyage. Therefore it is impossible that Behem could be profited by the discoveries of this navigator, who went a more northerly course."

Though Dr. Robertson treats the history of Behem as the fiction of some German authors; yet he acknowledges that "Behem had settled at Fayal; that he was the intimate friend of Christopher Columbus; and that Magellan had a globe made by Behem, by the help of which he undertook his voyage to the South Sea," &c.

He relates also that in 1492 he paid a visit to his family at Nuremberg, and left there a map, drawn by himself, of which Dr. Forster procured a copy, and which in his opinion partakes of the imperfection of cosmographi-

cal knowledge in the fifteenth century.

To be continued.

ART. 22.

Facts and observations relative to the nature and origin of the pestilential fever, which prevailed in this city, in 1793, 1797, and 1798. By the College of Physicians of Philadelphia. Philadelphia. Thomas Dobson. 1798. 8vo. pp. 52.

Additional facts and observations relative to the nature and origin of the pestilential fever. By the College of Physicians of Philadelphia. Philadelphia. T. Dobson. 1806. 8vo. pp. 99.

THE first part of this work was published in 1798 ;—the second within the present year. The two are now included under one cover, and we shall briefly notice the contents of each. It is the design of these publications to prove, that the yellow fever is a contagious disease, and that it is introduced into our country by importation. In our last number we gave a review of an account of the yellow fever at New York the last season ; and we then said, that this account rendered the opinion of its domestick origin, in that instance, the most probable. We purposely avoided giving a general opinion on this subject, and we shall not think ourselves inconsistent, if we declare that other accounts of the same disease at other times, or in other places, support an opinion which may appear contradictory. We presume not to determine the character of witnesses, but we can declare the result of the evidence which is offered. Time may reconcile apparent inconsistencies, or may bring to light truths which

have been concealed. For this purpose, time must be employed in careful and faithful observations by those whose situation permits. To us opportunities for such observations are rare, and we pray Heaven they may continue so.

It is well known, that the College of Physicians of Philadelphia have from the year 1793 professed their belief, that the yellow fever was an imported and contagious disease. Deference should be paid to the opinion of so respectable a body ; but it is the motto of modern days “ nullius in verâ magistri ;” and those who seek for truth will investigate facts, rather than ask for opinions.

In the first part of this work we have an account of the introduction of the pestilential fever into Philadelphia in 1798 by the ship Deborah. From the details given in the notes, and particularly in a letter from Dr. Daniel De Benneville, it appears very clearly, that in many instances the disease could be traced to a connection with the ship Deborah ; and likewise that in other instances the persons, who had such connection, appeared to communicate the disease to their friends and attendants. It is however to be remarked, that this vessel emitted a “ disagreeable and very offensive stench” to a considerable distance ; and that several among the persons who were supposed to derive their diseases from this ship, of whom Dr. De Benneville himself was one, did not go even upon the wharf at which she laid, but were only opposite the wharf, &c. On the other side, however, it would seem by the account that the disease, with which those persons were seized, was infectious.

In the second part of this work the College declare their adher-

ence to their former opinions ; which, they say, have been confirmed by events and researches subsequent to the former declaration of those opinions. In this part we have some letters from respectable physicians and others, which deserve consideration.— There are also some “ minutes of the sitting managers of the Pennsylvania Hospital,” tending to shew, by events in that hospital, that the yellow-fever is an infectious, if not a contagious disease.

There follow letters from Dr. C. Wistar, and Dr. G. Bensell. They relate “ facts tending to prove the contagious nature of the yellow-fever at *Germantown* in the year 1798.” These are such as must make the incredulous hesitate.

“ The history of the origin and progress of the yellow fever in New Haven, 1794,” is extracted from the N. York Evening Post, and is corroborated by private letters. In fact, almost the whole was originally derived from Drs. Eneas and Elijah Munson. This history traces that disease to infection from a chest of clothes imported from the W. Indies in the sloop Iris. On this subject there has been a strange contradiction of evidence. From the whole together, which this volume contains on the subject, it is fair to conclude, that the chest of clothes was the source of disease.

We pass over other things less important to notice “ an account of the rise and progress of the fever, which prevailed in Southwark, during part of the summer and autumn of the year 1805, by Dr. W. Currie.” As this account is published by the College without comment, it has all the weight of their reputation in its favour. For we ought to presume that if any fellow of the College had

known any thing which tended to invalidate it, that would have received equal publicity.

In this account it appears, that the first instances of the disease were in S. Crisman’s family. Three of this family visited the quarantine ground on July 21st ; at which time unclean vessels were lying there. One of these vessels had put two persons on shore there nine days before, both of whom were dangerously ill of the yellow fever. On the 27th of July one of these persons in Crisman’s family, and on the 28th the other two were attacked with yellow fever. The one, first seized, died on the 3d of August ; the others recovered. From these three persons the disease seems to have been communicated, by intercourse more or less direct, to others in succession. If nothing is omitted in this account, we must conclude that the disease originated from the imprudent exposure of certain persons to infection at the quarantine ground.

We recommend this work both to physicians and to all persons, who have any concern in making or in executing quarantine laws. If our commerce is subjected to embarrassments from quarantine, for God’s sake let us have this process so perfect as to secure us from foreign disease. It is a strange sort of respect for the liberties of the people, which subjects merchants and mariners to great pecuniary and personal embarrassments, and at the same time permits any idle boy to take from us the benefit of such sacrifices.

Well aware that the discussion of this subject will not interest a large portion of readers, we omit many remarks, which the occasion presents.

NOTICES.

A Northern Summer, or travels round the Baltic, through Denmark, Sweden, Russia, Prussia, and part of Germany, in the year 1804. By John Carr, Esq. author of the *Stranger in France*, &c. &c. 8vo. Philadelphia, S. F. Bradford.

WHEN an English traveller tells us that he went abroad for health and spirits we very naturally conclude, that a narrative of his adventures will exhibit little else than a severe caricature of the various subjects of his observations. But the most invidious examination will discover in this work very few of those misrepresentations which would be expected as the usual effect of strong national prejudice operating on the impatience of ill health. The author travelled in the exercise of a singular indulgence for foreign peculiarities which earlier travels had so matured, that his avowed and honourable predilection for his native land in no instance intrudes itself to degrade the character of any other. This work presents to the reader much of that kind of minute, local information, which is amusing to any one, and to an inexperienced tourist indispensably necessary, but which many travellers disdain to notice, and still more want skill to manage. The lounger may find in it much to wile away an idle hour with, and, if his heart has not been cankered and corroded, and his mind unnerved by sloth, will feel himself quickened into something like life, by some well wrought scenes of woe, drawn from history, and several striking instances of the mutability of for-

tune. To the romantick it offers no gorgeous displays of sentiment, and indeed nothing but fine descriptions of the wild and picturesque. And a political theorist would probably be disappointed in not finding the order and uniformity of the work interrupted and disfigured by the introduction of dry and useless calculations. The only strange and unusual trait which distinguishes this work, is, that we may glean from it more knowledge of individual and national character, and more topographical information than gazetteers or geographical compilations generally afford. If there is any fault sufficiently great to be noticed, it is, that his descriptions of works of art are sometimes too incomplete to gratify a connoisseur, and not always clear to one who is not. Here his periods are sometimes prolonged, till they become, what they generally are not, obscure and confused.

....

The Shade of Plato; or, a defence of religion, morality, and government. A poem in four parts. By David Hitchcock. To which is prefixed, a sketch of the author's life. Hudson, H. Crosswell. 12mo. price 25 cents.

THE Muses, like most other ladies, have long had the reputation of being somewhat capricious in the distribution of their favours, and since their favourites join in the accusation, we are compelled to believe that it must be just. If, however, they were formerly capricious, they have of late become lawless. The inspiration of poetry which was formerly reserved for those minds, in which refinement and feeling had been nourished by solitary thought and un-

broken study, has of late been felt even at the work bench, and the plough. What mysterious connexion, what secret analogy there is between stitching shoes and making verses, we are at a loss to discover ; but certain it is, that the cobler's stall has lately been remarkably fruitful of poets. Our own country is not without her claims to a share in the honour which England may assume from this fecundity in "self-taught bards ;" and Mr. Hitchcock, the author of the book, whose title we have just quoted, is to be the supporter of our renown. Our bard, we must acknowledge, is yet unfledged, and indeed has scarcely broken his shell ; but we doubt not that if he should be warmed by the incubation of some American Capel Loftt, he will hereafter rise on as strong a wing, and sustain as daring a flight as either of the Bloomfields.

We have the following account of Mr. Hitchcock prefixed to the volume.

David Hitchcock, the author of the following poem, was born at Bethlem, county of Litchfield, state of Connecticut, in the year 1773. His father, who was an honest and industrious shoemaker, after being reduced by a series of misfortunes, to the lowest state of poverty and wretchedness, died in the year 1790 ; leaving six children, of whom our author was the eldest, and a weakly and bereaved widow, dependent upon the world for protection and support. His inability to educate his children will readily be perceived ; but as the eldest discovered an early disposition to learn, he spared no pains to gratify it, both by instructing him and sending him to school, (when want of money or cloathing did not prevent) from the fifth to the thirteenth year of his age. By these small materials our author acquired enough of the rudiments of learning to enable him to make further improvements by his own application, at subsequent periods of his life. Some of his first productions were para-

phrases on the thirty-ninth Psalm, the latter part of the first chapter of Luke, and others of a serious complexion. These he composed principally in the night, while watching with his father in his last sickness.

In the 26th year of his age he married ; and though he may be ground more close by penury on this account, still he enjoys peace and contentment, and has the addition of three children to his family, upon which he doats almost as much as the opulent do upon their riches.

Such has been the origin and progress (to the thirty-second year of his age) of a man, who struggling under all the disadvantages of want of education, indigence, obscurity, and the contumely of the world, has produced, by the astonishing efforts of his genius, the following Poem, besides a number of smaller pieces of a satirical cast.

It cannot be expected that we should undertake either a criticism or analysis of this production. It is an essay, in eight-syllable metre, on Religion, Politicks, and Morals, which the author put into the mouth of Plato ; and, though his style is hardly such as the Gods would adopt, if they should visit the earth, yet as every man possesses some rank in intellectual dignity, whose mind is superior to his circumstances, this writer's merit must be admitted, and his poetry endured.

The author has a right to one extract.

While Phœbus from the human race
Hid the bright splendour of his face,
And from the seat of darkness hurl'd
A sable mantle o'er the world :
While men from toil, repose obtain'd,
And universal silence reign'd ;
The ghost of an immortal fage,
Who flourish'd in the Grecian age,
Sudden into my presence broke,
And thus the radiant vision spoke :—

Stranger, forbear, be not dismay'd ;
I'm Plato's once departed shade ;
Who from celestial spheres recede,
The righteous cause of heaven to plead ;
And clear its justice, truth, and grace
From the aspersions of your race.

O'er earth, where'er a God is known,
Mankind, their destiny bemoan ;

They all some specious pretext frame,
To tax kind Providence with blame ;
Each think the Deity they serve,
Chastises more than they deserve ;
And that their sufferings here below,
Are one despotic scene of woe.
In Christian land, where gospel light
Illumes the intellectual sight,
Oft have I heard your race repine,
That they're abus'd by power divine ;
That they're deprived of happiness,
Because their parents did amiss :
'That their existence here below
Is but a pilgrimage of woe.
For which the hapless race of men
Are subject to disease, and pain ;
And when their days on earth are past,
Must feel the pangs of death at last :
That since the first unrighteous deed,
Mankind through every age must bleed ;
And be clandestinely devour'd
By famine, pestilence and sword :
'That man, had it not been for this,
Had revell'd in eternal bliss ;
And free from sickness, death, or pain,
Would now in paradise remain ;
That since their fire was thus derang'd,
The laws of nature have been chang'd ;
And counterwork their pristine plan,
To scourge the feeble race of man ;
Whence they're to every woe betray'd.
For crimes which they could not evade :
Oft they enquire the cause they've given,
Thus to be made the sport of heaven ;
And why its vengeance should assail
A race so impotent and frail.

...

A sketch of the geography and present state of the united territories of North America ; to which is added, a list of the several nations and tribes of Indians in Canada and the United States, &c. &c. By B. Davies. Philadelphia, A. Bartram.

THE object of this little work is to give a bird's-eye view of the geography, statisticks, &c. of the United States of America. In the following extract we have the design of the author.

This compend, in which nothing more than a sketch can be given of the geography, and existing state of the united territories, is divided into two parts : the first contains a general account of the soils, climates, winds, mountains, lakes, rivers, bays, capes, mines, and minerals ; and the second, consisting of eighteen geographical and statistical tables, comprises a brief view of the extent and population of the whole empire, as well as of the individual states, their trade and shipping, constitutions and military force, revenues and expenditures.

As far as we have examined, the work appears accurate, and will be found particularly useful to a traveller through the country.

MONTHLY CATALOGUE

OF NEW PUBLICATIONS IN THE U. STATES, FOR MAY, 1806.

Sunt bona, sunt quædam mediocria, sunt mala plura.—MART.

NEW WORKS.

Trial of Samuel Chase, an associate justice of the supreme court of the United States, impeached by the house of representatives, for high crimes and misdemeanors, before the senate of the United States. Taken in short hand, by Samuel H. Smith and Thomas Lloyd. In two large octavo volumes—Vol. 2, in boards, price, to subscribers, 4 dols. and a half, and to non-subscribers 5 dols. Washington. S. H. Smith.

An inaugural Essay on the different theories that have been advanced on the

subject of the proximate cause of conception in the human female. By Daniel Newcomb, A. B. of Keene, N. H. member of the Philadelphia Medical Society. 8vo. pp. 32. Philadelphia, John H. Oswald.

Twelve Letters addressed to Rev. Samuel Austin, A. M. in which his vindication of partial washing for Christian Baptism, contained in Ten Letters, is reviewed and disproved. By Daniel Merrill, A.M. pastor of the church of Christ in Sedgwick. 12mo. pp. 96. Boston, Manning & Loring.

A new Map of the United States of America, including part of Louisiana. Drawn from the latest authorities; revised and corrected by Osgood Carlton, Esq. teacher of mathematicks in Boston. 6 dols. in sheets to subscribers. Boston. John Sullivan jun.

A Speech, delivered in congress, on the 15th April, 1806. While the house, in committee of the whole, were discussing the bill for fortifying the ports and harbours of the United States. By Josiah Quincy, Esq. member of congress from Massachusetts. 8vo. Boston, printed by Russell & Cutler. 1806.

Eight Discourses on Baptism. 12mo. pp. 156. Boston. D. Carlisle.

A discourse delivered in trinity church, in Newport, on thursday 27th November, 1805, an appointed day of publiek thanksgiving and praise. By Theodore Dehon, A. M. rector of Trinity Church. Published by particular desire. Newport, R. I. 1806.

An address on Music, delivered to the First Baptist Singing Society, Boston, on the evening of the 15th May inst. By Ferdinand Ellis, A. M. Boston.

NEW EDITIONS.

Volume I. part I. of The New Cyclopaedia, or Universal Dictionary of Arts and Sciences. To be completed in 20 vols. quarto. By Abraham Rees, D. D. F. R. S. Editor of the last edition of Chamber's Dictionary;—with the assistance of eminent professional gentlemen. Illustrated with new plates, including maps, engraved for the work, by some of the most distinguished artists. The whole improved and adapted to this country, by gentlemen of known abilities, by whose aid it will be rendered the most complete work of this kind that has yet appeared. Price of each half vol. to subscribers 3 dols. Philadelphia, Bradford.

A treatise on the Diseases of Children, and management of Infants from the Birth. By Michael Underwood, M. D. Licentiate in Midwifery, of the Royal College of Physicians in London, &c. &c. Second American from the fifth London edition. 8vo. pp. 270. Boston. D. West.

Reflections on the Rise and Fall of the ancient Republicks, adapted to the present state of Great Britain. By Edward W. Montague, jun. 12mo. pp. 336. Philadelphia. C. P. Wayne.

IN THE PRESS.

Walker's Critical Pronouncing Dictionary of the English Language. Vol. III. No. 5. 2K

From the third London edition; containing the last improvements and corrections of the author. 1 vol. 8vo. New York. S. Stansbury & co.

The 2d vol. of Judge Cain's Report. New York, Riley & Co.

Powell on Devices. 1 vol. 8vo. New York, Riley & Co.

Part 3d of Cain's New York Term Reports, which completes the 3d vol. New York, Riley & Co.

Elements of geometry, containing the first fix books of Euclid, with a supplement on the quadrature of the circle, and the geometry of solids. By John Playfair, F. R. S. Edin. professor of mathematicks in the university of Edinburgh. Price 2 dols. Philadelphia.

A new work entitled Elenora, by Miss Pilkinton. New York, Riley & Co.

The Enchanted Lake, a beautiful poem, translated from the Italian, by Richard Alsop, Esq. New York, Riley & Co.

A Portraiture of Quakerism, taken from a view of the education and discipline, social manners, civil and political economy, religious principles and character of the society of Friends. By Thomas Clarkson, A. M. author of several essays on the slave trade. 3 vols. 8vo. To subscribers 5 dols a set, bound; coarse copies 3 dols. New York. Stansbury.

Charnock's Life of Admiral Nelson. 1 vol. 8vo. New York, Riley & Co.

PREPARING FOR THE PRESS.

A celebrated work entitled, The Civil History of Chili, translated from the Italian of the abbe Molina. 2 vols. 8vo. with plates. New York, Riley & Co.

INTELLIGENCE.

Brisban & Brannan have just put to press, and will publish by the first of June, a highly interesting work, entitled, "Memoirs of the Life and Writings of Richard Cumberland," with Anecdotes of many of the principal characters during his time. We have perused the above work with sensible pleasure. In point of interest it is little inferior to Boswell's Life of Johnson, in point of style it is very far above it. In issuing this edition, Messrs. Brisban and Brannan will make a valuable present to the American public, and we have no doubt will find themselves handsomely remunerated. We know not the work of a late date which we think will be so popular.—*N.Y. Ev. Post.*

David Hitchcock, author of the "Shade of Plato," and the "Knight and Quack," is preparing another work for the press.

STATEMENT OF DISEASES,
From the 20th of April to the 20th of May.

THE weather during the latter part of April was generally cool and the winds from the north-east. They have bought us but little of the vernal mildness; for although the sky has scarce been covered with a cloud, yet chilling breezes from the east have reigned almost uninterruptedly. The month, on the whole, has been remarkable for its coolness and dryness.

Pneumonic inflammation has been quite a common disease, during the past month. In many cases the attack has been violent; but has soon yielded to the vigorous application of remedies, and without much loss of blood. As far as our observations and information relative to this disease have extended, the treatment

of it, during the past season, has been very successful, and the lancet has been rather unfrequently employed. Numerous rheumatic affections have appeared this month. Fever has been very common, especially among children. The invasion of this disease has been generally sudden and severe, but of short duration. Those chronic affections of the lungs, which have existed some time, have been much aggravated during this month, and new ones have appeared.

Small pox has again shown itself; and in the centre of the most populous part of the town. The early removal of the patient prevented the infection being communicated for this time. Vaccination is very widely diffused through the town. Scarcely have there ever existed so many cases at one time, as at present.

We cannot deny ourselves the pleasure of inserting the following speech, which has never before been published, although its length compels us to exclude a part of our usual collection. As the subject does not respect any local and temporary question of party politicks, we do not by its insertion depart from our principle of ever intrenching on the province of the gazettes. The deeply learned and profound investigations of this liberal and accomplished scholar will be appreciated by all who are qualified to judge.

MR. ADAMS'S SPEECH

On the Bill to prevent the abuse of the privileges and immunities enjoyed by foreign ministers within the United States.

THE BILL.

BE it enacted, &c. That from and after the passage of this act, if any foreign ambassador, minister, or other person, entitled to enjoy within the U. S. the privileges and immunities of a foreign minister, shall commit any violation of the municipal laws; which, if committed by a person amenable to the ordinary judicial authority of the place, where such ambassador, minister, or other person, may be at the time of committing such offence, would be indictable by a grand jury, and punishable by death, by corporal punishment, or by imprisonment or confinement to labour, the president of the U. S. upon application made to him by the executive authority of the state or territory where such offence may be committed, or upon the complaint to him of any person injured or aggrieved by such offence so committed, and upon proof of the facts, satisfactory to the said president, being furnished to him in support of such application or complaint, shall be, and hereby is authorised to demand of the sovereign of the said offending ambassador, minister, or other person, justice upon the offender, and reparation to any person or persons thus injured or aggrieved; and in case of the refusal or neglect of the said sovereign to comply with such demand for justice and reparation, the president of the U. S. is hereby further authorised to order such ambassador, minister, or other person so offending, to depart from the U. S. and the territories thereof; or to send him home to his sovereign, according to the aggravation of the offence, and at his the said president's discretion.

Sec. 2. That from and after the passage of this act, if any foreign ambassador, minister, or other person entitled to enjoy within the U. S. the privileges and immunities of a foreign minister, shall within the U. S. or the territories thereof commit any act of hostility or enter into any conspiracy against the government of the U. S. or shall

personally insult or treat with disrespect the President of the U. S. for the time being, the said President shall be, and is hereby authorised, at his discretion, to order the said ambassador, minister or other person so offending, to withdraw from the seat of government and the territory of Columbia, or to depart from the U. S. and the territories thereof; and in case of refusal or neglect by such ambassador, minister, or other person as aforesaid, to obey such order within a reasonable time, of which the said president shall judge, the said president shall be, and is hereby further authorised to send the said ambassador, minister, or other person as aforesaid, home to his sovereign; and in either case to demand of the said sovereign, the punishment of such offending ambassador, minister, or other person as aforesaid, according to the nature and aggravation of the offence; and conformable to the laws of nations.

Sec. 3. That in every case, when the president of the U. S. shall, under the authority of this act, order any foreign ambassador, minister, or other person entitled to enjoy within the U. S. the privileges and immunities of a foreign minister, to withdraw from the seat of government and the territory of Columbia; or to depart from the U. S. and the territories thereof; or shall send any such offending ambassador, minister, or other person as aforesaid, home to his sovereign the said president shall, in the order given to such ambassador, minister, or other person as aforesaid, to depart, or to withdraw, signify the offence upon which such order shall be founded; and shall assign to the sovereign of the said ambassador, minister, or other person as aforesaid, the reasons for which such order shall have been given, or for which the said ambassador, minister, or other person as aforesaid, shall be sent home; particularly specifying that such proceedings are not on account of any national differences, but on account of the personal misconduct of such ambassador, minister, or other person as aforesaid.

SENATE OF THE UNITED STATES.

Monday, March 3, 1806.

MR. ADAMS—

THERE are two points of view, Mr. President, in which it appears to me to be important that the provisions of this bill should be considered : The one, as they relate to *the laws of nations*; and the other, as they regard *the constitution of the United States*. From both these sources have arisen inducements, combining to produce conviction upon my mind of the propriety, and indeed the necessity of some measure, similar in principle to that which I have had the honour to propose. I shall take the liberty to state them in their turns ; endeavouring to keep them as distinct from each other, as the great and obvious difference of their character requires, and that their combination on this occasion may appear in the striking light, which may render it the most effectual.

By the laws of nations a foreign minister is entitled, not barely to the general security and protection which the laws of every civilized people extend to the subjects of other nations residing among them : he is indulged with many privileges of a high and uncommon nature ; with many exemptions from the operation of the laws of the country where he resides, and among others with a general exemption from the jurisdiction of the judicial courts, both civil and criminal. This immunity is, in respect to the criminal jurisdiction, without limitation ; and an ambassador, tho' guilty of the most aggravated crimes which the heart of man can conceive, or his hand commit, cannot be punished for them by the tribunals of the sovereign with whom he resides. Should he conspire

the destruction of the constitution or government of the state, no jury of his peers can there convict him of treason. Should he point the dagger of assassination to the heart of a citizen, he cannot be put to plead for the crime of murder. In these respects he is considered as the subject not of the state to which he is sent, but of the state which sent him, and the only punishment which can be inflicted on his crimes is left to the justice of his master.

In a republican government, like that under which we have the happiness to live, this exemption is not enjoyed by any individual of the nation itself, however exalted in rank or station. It is our pride and glory that all are equal in the eyes of the law : that, however adorned with dignity, or armed with power, no man, owing allegiance to the majesty of the nation, can skreen himself from the vindictive arm of her justice ; yet even the nations whose internal constitutions are founded upon this virtuous and honourable principle of equal and universal rights, have like all the rest submitted to this great and extraordinary exception. In order to account for so singular a deviation from principles in every other respect deemed of the highest moment and of the most universal application, we must enquire into the *reasons* which have induced all the nations of the civilized world to this broad departure from the fundamental maxims of their government.

The most eminent writers on the laws of nations have at different times assigned various reasons for this phenomenon in politicks and morals. It has sometimes been said to rest upon *fictions of law*. The reasoning has been thus ; every sovereign prince is *independent* of all others and as

such, cannot, even when personally within the territories of another, be amenable to his jurisdiction. An ambassador *represents the person* of his master, and therefore must enjoy the same immunities: but this reasoning cannot be satisfactory; for in the first place, a foreign minister does not necessarily represent the person of his master; he represents him only in his affairs; and besides representing him, he has a *personal existence of his own*, altogether distinct from his representative character, and for which, on the principles of common sense, he ought, like every other individual, to be responsible; at other times another fiction of law has been alledged, in this manner; the foreign minister is not the subject of the state to which he is sent, but of his own sovereign. He is therefore, to be considered as still residing *within the territories* of his master, and not in those of the prince to whom he is accredited. But this fiction, like the other, forgets the *personal existence of the minister.** It is dangerous at all times to derive important practical consequences from fictions of law, in direct opposition to the fact. If the principle of personal representation, or that of exterritoriality, annexed to the character of a foreign minister be admitted at all, it can in sound argument apply only to his

official conduct; to his acts in the capacity of a minister, and not to his private and individual affairs. The minister can represent the *person* of the prince, no otherwise than as any agent or factor represents the person of his principal; and it would be an ill compliment to a sovereign prince, to consider him as personally represented by his minister in the commission of an atrocious crime. Another objection against this wide-encroaching inference from the doctrine of *personal representation* is, that it is suitable only to monarchies. The minister of a king may be feigned to represent, in all respects, the person of his master; but what *person* can be represented by the ambassador of a republick? If I am answered, the *moral person of the nation*; then I reply, that can be represented by no individual, being itself a fiction in law, incapable of committing any act, and having no corporeal existence susceptible of representation.† I have said thus

....

† The representative character of the ambassador is the sign of representation of the sovereign who sends, addressed to the sovereign who receives the minister. Ambassadors being naturally the *mandatories* of the prince by whom they are sent, the representative character, by the law of nature, consists in the power of transacting any publick business in the name and right of the sovereign, by whom they are sent, with another sovereign power: consequently by the law of nature an Ambassador is not as it were *the same moral person* as he who sends him, so as to be the same as if his master himself were present; nor is the prince to whom he is sent bound to consider him as his equal. And as there is no necessity, either for the transaction of busines, or for the dignity of the sender, which may be preserved without it, of that representative character which consists in the power of representing the *person* of the sender, neither is the representative character, when stretched beyond the rules of natural law, any part of the *voluntary law of nations*: and consequently if introduced

* It is manifest, that if *exterritoriality* were to be allowed to ministers in the whole extent of the term, it would entitle them to many rights which they certainly have not: on the other hand the privileges allowed them extend far beyond what the universal law of nations prescribes in their favour on this ground. Both these positions will be proved hereafter, and also that *this extremely loose notion of exterritoriality* is not always sufficient to ascertain the rights to which a minister may pretend. *Martens' Summary of the Modern Law of Nations. Book 7, ch.5.*

much on this subject, because I have heard in conversation these legal fictions alledged against the adoption of the bill on your table, and because they may perhaps be urged against it here.

But it is neither in the fiction of *exterritoriality*, nor in that of personal representation that we are to seek for the substantial reason upon which the customary law of nations has founded the extraordinary privileges of ambassadors—It is in the nature of their *office*, of their *duties*, and of their *situation*.

By their *office*, they are intended to be the mediators of peace, of commerce, and of friendship between nations ; by their *duties*, they are bound to maintain with firmness, though in the spirit of conciliation, the rights, the honour, and the interests of their nation, even in the midst of those who have opposing interests, who assert conflicting rights, and who are guided by an equal and adverse sense of honour ; by their *situation*, they would, without some extraordinary provision in their favour, be at the mercy of the very prince against whom they are thus to maintain the rights, the honour, and the interest of their own. As the ministers of peace and friendship, their functions are not only of the highest and most beneficial utility, but of indispensable necessity to all nations, having any mutual intercourse with each other.

....

by usage it is part of the customary law ; if by treaty, part of the conventional law of nations. Wherefore the *consequences* derived from this character respecting Ambassadors, belong neither to the law of nature, nor to the voluntary law of nations ; much less do they sanction the gratuitous additions by which they are amplified. Hence no nation is bound to acknowledge them, unless in consequence of express stipulation. *Wolf. Institutes of the law of nature and nations. Part. 6, ch. 10, §. 1242.*

They are the only instruments by which the miseries of war can be averted when it approaches, or terminated when it exists. It is by their agency that the prejudices of contending nations are to be dissipated, that the violent and destructive passions of nations are to be appeased ; that men, as far as their nature will admit, are to be converted from butchers of their kind, into a band of friends and brothers. It is this consideration, Sir, which, by the common consent of mankind, has surrounded with sanctity the official character of ambassadors. It is this which has enlarged their independency to such an immeasurable extent. It is this which has loosed them from all the customary ties which bind together the social compact of common rights and common obligations.

But immunities of a nature so extraordinary cannot, from the nature of mankind, be frequently conferred, without becoming liable to frequent abuse. As ambassadors are still beings subject to the passions, the vices, and infirmities, of man, however exempted from the danger of punishment, they are not exempt from the commission of crimes. Besides their participation in the imperfections of humanity, they have temptations and opportunities peculiar to themselves, to transgressions of a very dangerous description, and a very aggravated character. While the functions of their office place in their hands the management of those great controversies, upon which whole nations are wont to stake their existence, while their situations afford them the means and stimulate them to the employment of the base but powerful weapons of faction, of corruption, and of treachery, their very privileges and immunities concur in

assailing their integrity, by the promise of security even in case of defeat ; of impunity even after detection.

The experience of all ages and of every nation has therefore pointed to the necessity of erecting some barrier against the abuse of those immunities and privileges, with which foreign ministers have at all times, and every where, been indulged. In some aggravated instances the rulers of the state, where the crime was committed, have boldly broken down the wall of privilege under which the guilty stranger would fain have sheltered himself, and in defiance of the laws of nations have delivered up the criminal to the tribunals of the country, for trial, sentence and execution. At other times the popular indignation, by a process still more irregular, has without the forms of law, wreaked its vengeance upon the perpetrators of those crimes, which otherwise must have remained unwhipp'd of justice. Cases have sometimes occurred, when the principles of self preservation and defence have justified the injured government, endangered in its vital parts, in arresting the person of such a minister during the crisis of danger, and confining him under guard until he could with safety be removed : but the practice which the reason of the case and the usage of nations has prescribed and recognized, is, according to the aggravation of the offence, to order the criminal to depart from the territories, whose laws he has violated, or to send him home, sometimes under custody, to his sovereign, demanding of him that justice, reparation and punishment, which the nature of the case requires, and which he alone is entitled to dispense. This power is

admitted by the concurrent testimony of all the writers on the laws of nations, and has the sanction of practice equally universal. It results indeed as a consequence absolutely necessary from the independence of foreign ministers on the judicial authority, and is perfectly reconcileable with it. As respects the offended nation, it is a measure of self-defence, justified by the acknowledged destination of every other remedy. As respects the offending minister, it is the only means of remitting him for trial and punishment to the tribunals whose jurisdiction he cannot recuse ; and as respects his sovereign, it preserves inviolate his rights, and at the same time manifests that confidence in his justice, which civilized nations, living in amity, are bound to place in each other.*

....

* It seems it may be said on this subject that there is *no casus*, in which the ordinary tribunals can extend their jurisdiction over publick ministers ; and this with the more confidence, as I find it is the opinion of Grotius. This is uncontested with regard to common offences ; and as for crimes of state, wherein the ambassador violates the law of nations, particularly if he attempt the life of the prince to whom he is sent, the sovereign alone, or the council of state in his behalf, can take cognizance of it, can arrest the traitor in his house, and afterwards send him with the proofs to the prince his master for punishment. *Wigford's Ambassador*, book 1, §. 29.

Princes sometimes oblige ministers to depart from their dominions, and send them away under an armed escort. Queen Elizabeth caused Don Bernardin de Mendoza, ambassador of Spain, and the bishop of Ross, ambassador from the queen of Scots, to be shipped off. Louis 14th of France sent under guard to the frontiers of Savoy a nuncio from the pope. The king of Portugal dismissed in like manner a minister from the pope, in 1646. And in 1659, under cardinal Mazarin, the resident from the elector of Brandenburg was ordered to quit the kingdom :

On these principles, thus equitable and moderate in themselves, and thus universally established, is founded every provision of the bill before you, so far as it implicates the law of nations. I have been fully aware that, although by the constitution of the United States congress are authorized to define and punish offences against the law of nations, yet this did not imply a power to innovate upon those laws. I could not be ignorant that the legislature of one individual, in the great community of nations has no right to prescribe rules of conduct which can be binding upon all, and therefore in the provisions of this bill, it was my primary object not to deviate one step from the worn and beaten path; not to vary one jot or one tittle from the prescriptions of immemorial usage, and unquestioned authority.

In consulting for this purpose the writers, characterized by one of our own statesmen, in a pamphlet recently laid on our tables, as "the luminaries and oracles to whom the appeal is generally

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and afterwards put into the bastile; whence he was taken, sent to Calais in custody, and there embarked. In 1667, the queen regent of Spain ordered the archbishop of Embrun, ambassador of Spain, to withdraw; and would not suffer him to wait in Madrid for the letters which he expected to receive by the first courier. All he could obtain was to stop at Alcala until their arrival; and there he received them. *Wiquefort, b. 1. §. 30.*

An ambassador ought to be independent of every power, except that by which he is sent: and of consequence ought not to be subject to the mere municipal laws of that nation, wherein he is to exercise his functions. If he grossly affends, or makes an ill use of his character, he may be sent home and accused before his master; who is bound either to do justice upon him, or avow himself the accomplice of his crimes. *Christian's Blackstone. Vol. 1. p. 253.—See also Montesquieu. Sp. L. 26. 21.*

made by nations who prefer an appeal to *law*, rather than to *power*," I found that they distinguished the offences which may be committed by foreign ministers into two kinds, * the one against the municipal laws of the country, where they reside; and the other against the government or state, to which they are accredited; and that they recommended a correspondent modification of the manner in which they are to be treated by the offended sovereign. The first section of the bill therefore directs the mode of treatment towards foreign ministers, guilty of *heinous* offences against the municipal laws: for as to those minor transgressions, which are usually left unnoticed by other states, I have thought no provision necessary for them. The section points out the mode by which the insulted state or injured individual may apply to the chief magistrate of the Union for redress, and by what process the president may obtain reparation from the offender's sovereign, or, in case of refusal, dismiss the offender from the territories of the United States.†

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* Suppose an ambassador guilty of a crime, deserving punishment in a course of justice; where then is he to be accused and punished?

In this question we must distinguish between two sorts of crimes, of which an ambassador may have been guilty. Either he has simply committed an offence, injurious to civil society and the publick tranquillity, such as homicide, adultery, or almost any other of the *common crimes*, as they may be termed; or he has transgressed against the person of the sovereign, or against the state, which is usually called *treason or hostility*. *Bynkershoek. De fofo Legatorum, with Barbeyrac's commentary, chap. 17, §. 6.*

† Should an ambassador forget the duties of his station, should he render himself disagreeable and dangerous, from cabals and enterprizes, pernicious to the

The second section provides for the case of offences against the government or the nation. If the insult is direct upon the president of the United States himself, it authorises him at once to discard the offender; if the injury be against the nation by any conspiracy, or other act of hostility, it offers the means of removing at once so dangerous a disturber of the publick tranquillity. This also will be found exactly conformable to the directions in Vattel.*

...

tranquillity of the citizens, the state, or prince, to whom he is sent, there are several ways of correcting him, proportionate to the nature and degree of his fault. If he maltreats the subjects of the state, if he commits any acts of injustice or violence towards them, the subjects injured are not to seek redress from the common magistracy, the ambassador being independent of their jurisdiction; consequently those magistrates cannot proceed directly against him. On such occasions the sovereign is to be applied to; he demands justice from the ambassador's master, and, in case of a refusal, may order the insolent minister to quit his dominions. *Vattel. Book 4, ch. 7, §. 94.*

* Should a foreign minister offend the prince himself, be wanting in respect to him, and by his intrigues raise disturbances in the state and court, the injured prince, from a particular regard to the minister's master, sometimes requires that he should be recalled; or if the fault be more heinous, the prince forbids him the court, till he receives an answer from his master; but in important cases he proceeds so far as to order him to quit his dominions. Every sovereign has an unquestionable right to proceed in this manner; for, being master in his own dominions, no foreigner can stay at his court or in his dominions without his permission. And though sovereigns are generally obliged to hear the overtures of foreign powers, and to admit their ministers, this obligation ceases entirely with regard to a minister who, being himself wanting in the duties incumbent on him from his character, becomes dangerous or justly suspected by him to whom he is to come only as a minister of peace. *Vattel. Book 4, ch. 7, §. 95, 96.*

The third section brings me to the consideration of the relation which the bill bears to the *constitution* of the United States. It contains a regulation, the object of which is at once to prevent all misunderstanding by the offending minister's sovereign of the grounds upon which he should be ordered to depart or sent home; and to mark by a strong line of discrimination the cases when a foreign minister is dismissed for misconduct, from those when he is expelled on account of national differences. In this latter case, by the general understanding and usage of nations, an order to depart, given to a foreign minister, is equivalent to a declaration of war. In the European governments, where the power of declaring war, and that of negotiating with foreign states, are committed to the same hands, this nice discrimination of the specifick reasons for which a minister may be dismissed, is far less important than with us. The power of declaring war is with us exclusively vested in congress; and as the order to depart, when founded on national disputes, amounts to such a declaration, it appears to me by fair inference, that for such cause the president of the United States cannot issue such an order without the express request or concurrence of congress to that effect. It was from this view of the subject that in the present bill, the power vested in the president to send home a culpable minister is so precisely limited to the cases when the minister shall have deserved that treatment by his personal misconduct. This distinction between the *causes* for which a foreign minister may be sent home has been solemnly recognized, in a remarkable manner, by this government in the treaty with G.

Britain of 19 Nov. 1794, in the 26th article.†

Here, Sir, the sending home a minister for national causes is recognized to be the very test of a rupture, and exactly tantamount to a declaration of war. But the same act, done for the minister's personal misconduct, is acknowledged to be a right of both parties, which they agree to retain ; and it is stipulated that it shall not in that case be deemed equivalent to a rupture. The expressions used imply that the parties did not consider themselves as introducing in this part of the article a new law, but as explaining the old. It is merely declaratory, "for greater certainty," and the previous existence of the right is recognized by the stipulation that both parties shall *retain* it. This is one of the articles of the treaty which have expired. But, as expressing the sense both of our own nation, and of Great Britain upon the subject to which it relates, it is as effectual as it ever could be. Its provisions are still binding upon both parties, as part of the law of nations, tho' they have ceased to be obligatory as positive stipulations.

This view of the subject will also furnish me with an answer to the question which has more than

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†And for greater certainty, it is declared, that a rupture shall not be deemed to exist, while negociations for accommodating differences shall be depending, nor until the respective ambassadors or ministers, if such there shall be, shall be recalled, or sent home on account of such differences, and not on account of personal misconduct, according to the nature and degrees of which, both parties retain their rights either to request the recal, or immediately to send home the ambassador or minister of the other ; and that without prejudice to their mutual friendship and good understanding. *Treaty with G.Britain, 19 Nov. 1794, art.26.*

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once been put to me, and which may perhaps be repeated here. It has been asked, whether the first and second sections of the bill are not superfluous ? whether the cases are not already provided for, and whether the president does not, beyond all question, possess the power which they purpose to vest in him ?

That the power is beyond all question vested in him, is, Sir, more than I can take upon me to say. Had I thought it beyond all question, I certainly should not have brought forward the bill in its present shape. And I will in candour add, that if, after a due consideration of the subject, the senate should be of opinion, that the power is vested in him beyond all question, they will of course either reject the bill, or reduce it to a mere modification of the *manner* in which he shall exercise the right, whenever he shall deem it expedient.

By the constitution of the United States, the executive power generally is vested in the president, and he is expressly authorized and directed to "receive ambassadors and other publick ministers." Now Sir, by the general grant of the executive power, according to the writers who have scrutinized and discriminated with the nicest accuracy the powers of government, the power of declaring war would of course be included. Such is the opinion not only of Montesquieu, but of Rousseau, the most republican of writers on laws and constitutions. The practice of all the governments in Europe which ever recognized the division of powers is conformable to this theory. But our constitution has expressly made the declaration of war a legislative act, and, by fair inference, whatever is by the custom of na-

tions equivalent to a declaration of war, we are bound to consider as a legislative act also. Thus then, although the president is invested with the executive power, and although he is to receive foreign ministers, yet, not having the power to declare war, he cannot possess that of ordering away a foreign minister for causes of national difference, because that is a virtual declaration of war. He is authorized to receive foreign ministers, and by this grant of power he must be authorized to determine when, how, and whom he will receive as such. He must be considered as possessing the power to determine upon all those cases when a man, coming as an accredited minister, may by the laws of nations be denied a reception; and he must also be allowed to determine when he will cease to receive a man in that capacity, after he has been admitted. This includes, as it appears to me, the right to request his recall, and even to intimate the wish to a foreign minister that he would depart. But whether it also includes the power positively to order his departure, and still more, to send him home by constraint, is not in my mind absolutely beyond a doubt. *Ceasing to receive him* as a publick minister, is not ordering him away; much less is it sending him home. It is clear the constitution did not intend the president should have the power to send home a foreign minister in some cases; it has not, in express terms, given him the power in any case. Whether he has it by implication, in the case of a minister's misconduct, seems to me not absolutely beyond a doubt, and I believe the very doubt in a point of this magnitude would operate to prevent its exercise in a case of the utmost need. That doubt it

was my purpose by this bill to remove. To remove it, if it exists, is unquestionably within the power of congress, and the occasion calls loudly for their interposition. The doubt appears the more rational from the fact that the power has never been exercised. The revocations of exequaturs of two foreign consuls by president Washington have been mentioned as cases in point, but are not applicable: for, in the first place, consuls are not entitled to the privileges or immunities of foreign ministers; and in the next, the revocation of an exequatur is barely equivalent by analogy to the *cessation* to receive a minister. It neither sends the man away, nor even orders him to depart.

But it has been the fortune of this bill to be attacked from quarters in direct opposition to each other; and while, on the one hand, it has been censured as vesting in the president a power which beyond all question he possesses already; on the other it has been blamed as putting in his hands a power which beyond all question he has not, and which the constitution never intended he should have. This construction of our constitution has been laid down, Sir, for our edification and improvement, by a foreign minister, in his correspondence with our secretary of state, which I speak of as a matter of publick notoriety, because it has been published in all our newspapers, and remains uncontradicted. I must however observe, that at the time when this bill was introduced I had never seen, and had no knowledge of this learned Spanish commentary upon the constitution of the United States.

I had not imagined that the true intent and meaning of our

our great national compact was to be settled by a foreign minister ; neither did it enter my heart to conceive that the government of the United States was to receive lessons from a Spaniard upon the extent of its constitutional powers. Yet, Sir, so it is. The Spanish minister has first chosen to construe into an order, what he was expressly told was not an order ; and next to tell the secretary of state that this order is contrary to the spirit of the *constitution* and government of *this country*. I find however that there are even American citizens, who think, with this diplomatick expounder of our laws, that the president in no case has the power to order a foreign minister to depart from our territories. I have myself always inclined to the opinion, that, for these cases of personal misconduct, the power of removal was given by the spirit of the constitution, though not perhaps by its letter. That he ought to possess it, is not in my mind a subject of doubt at all ; for considering the nature of a foreign minister's privileges, and the danger and urgency of the cases wherein men invested with that character most frequently abuse them, to deny the president the exercise of the only means which can control them, is to deny the nation itself the means of self defence at the most perilous extremities. It may be asked whether this argument would not apply, with equal force, to the cases in which I deny the president's power to expel a foreign minister, and in which the bill does not propose to give it. To this, I answer, No. In every possible case, when a publick minister could be ordered home on account of national differences, congress must be in session, or must be sum-

moned for the purpose. Such a state of things cannot suddenly arise. It is a measure never to be resorted to, unless with the settled determination of war ; and its exercise never can be necessary for the president to the execution of his constitutional powers.

But the personal misconduct of a minister may happen at any time, when congress is not in session as probably as when it is. It would certainly happen more frequently in the former case than in the latter, if during the recess no power of restraint upon him could be used. These are offences, the detection of which would often be accidental, sudden, unexpected ; calling for the instantaneous interposition of a vigorous arm to rescue the country from its danger. Suppose a conspiracy like that of Tarquin's ambassadors, or that of Catiline at Rome, like that of Bedmar at Venice, like that of Cellamare in France : To say that the president should have no weapon of defence within his reach, until congress should be assembled, would give the conspiring minister the power to execute at full leisure such orders as Cellamare received from Cardinal Alberoni, and enable him, before his hand could be arrested, to *set fire to all the mines*. It is therefore as clear to me, that the president ought to possess the power of expulsion for personal offences, as that he ought not to possess the same power for causes of national controversy. And if the constitution by its silence has left it questionable, it seems to me incumbent upon congress to remove every shadow of doubt from the case.

Among the other objections which I have heard alledged against *any* legislative act upon this

subject, I shall now notice that which I consider as of the least real weight ; and that is, that other nations have not made it a subject of legislation. But other nations have made the exemption of foreign ministers from their *civil jurisdiction* a subject of legislation, as appears in Martens.* And with respect to the criminal jurisdictions in cases of common crimes, it is remarkable that the same Martens says the English, *for the want of an express law upon the subject*, have departed from the usages of all other nations in this particular, and made foreign ministers amenable to their criminal jurisdiction.† Now, Sir, if the English nation are thus charged with a *deviation* from the practice of all other civilized nations, because they have *not* made an express law for acceding to it, surely no exception can be taken against us for making precisely such a law as England is said to want.

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* The exemption of foreign ministers from the jurisdiction of the state is regulated in Holland by the ordinances of the States General, of 11 August, 1676, and 9 Sept. 1679 ; and of the States of Holland of 8 Aug. 1659, 30 July and 14 Aug. 1681. See the "Groot Placaat Boek" under date of these years. In England, by act of parliament, 10 Ann., ch. 7. In Portugal, by ordinance of 1748. *Martens' Summary*, b. vii. c. 5, §. 8, n. b.

† In the practice of the European nations we find, that in cases of *private crimes* committed by a minister, it is tho't commonly sufficient to demand his recal. Though in England the want of an express law seems to leave ministers without shelter from a criminal prosecution. In the case of state crimes, it is thought sufficient to seize his person, while the safety of the state is in danger, releasing and sending him home afterwards; even this extremity is not commonly resorted to, if the danger is less imminent, and if it will admit the expedient of sending away the minister, or demanding his recal. *Martens' Sum.* b. vii. c. 5. §. 189, n. a.

This law, therefore, instead of a mark of singularity, must be regarded as a test of conformity. Instead of throwing us into a corner with the solitary exception, it introduces us into the general circle of nations. It is not in sullen derogation, but in explicit affirmation of the general usage. It is no variation of our political compass ; it is only the steady pointing of our needle to the real pole.

But a still more conclusive answer to this objection is, that other nations have made no law upon this subject, because, conformably to their constitutions, the act of sending home a foreign minister is *in all cases an executive act* ; and of course an act requiring no legislative interposition. I have already shewn, Sir, that by our constitution, it must in some cases, be considered as a legislative act ; and hence arises a reason peculiar to ourselves for regulating the whole subject by legislative sanction : reserving to congress the power to exercise it when it becomes equivalent to a declaration of war, and leaving it in the hands of the president when it is upon our own principles an act purely executive.

These, Sir, are the considerations deduced from the laws of nations and from our own constitution, upon which the bill was presented to the senate in its original shape ; the amendment reported by order of the committee is entirely in the spirit of the bill, and only specifies the precise mode in which the order for the removal of a criminal foreign minister shall be executed. This section may perhaps be deemed expedient even if it should be concluded that the abstract power is unquestionably vested in the president. For even if he has the power without the

legalized organs of carrying it into effect, as to all purposes of publick benefit, the case is the same as if he had it not. It is, on this supposition, one of those authorities which require an organick law to render it practical. Nor is this the only instance in which the constitution has left it in the discretion of congress to prescribe the manner of carrying its injunctions into effect. The very first law in your statute book is an example of the same description. The constitution had enjoined that all civil officers of the United States, and of the several states, should be sworn to its support, but had not particularized the manner of administering the oath ; and the first act of the first congress under our present constitution was to provide the necessary regulation.

It may now perhaps be expected, Sir, that I should give some explanation of the more immediate circumstances in which the bill originated. And here, I am sensible that I tread upon delicate ground. So highly honourable and respectable is the office of a foreign minister, that to treat him with disrespect in common discourse, and still more in legislative deliberation, would be without excuse, were his own conduct altogether unexceptionable. Should the occasion ever happen that a foreign minister, by his own violation of all the common decencies of social intercourse towards the government to which he was accredited, should forfeit every right to personal respect or esteem, still I hope, Sir, I should not forget the consideration due to the credentials of his sovereign ; still I should think myself bound to observe all that moderation of expression which can be consistent with the sentiments of indignation, involuntarily excited in my breast by an insult

upon the government of my country.

Within a few days after the message of the president, at the commencement of the present session of congress was made publick, the Spanish minister addressed to the secretary of state a letter couched in terms which it cannot be necessary for me to particularize ; and containing, not only strictures of the most extraordinary nature upon all the parts of that message respecting Spain, but complaints no less extraordinary at what it did *not* contain. Consider this procedure in its real light Sir, and what is it ? A foreign minister takes to task the president of the United States, for the manner in which he has executed one of the most important functions enjoined upon him by the constitution. He not only charges him with misrepresentation in what he did say, but he presumes to dictate to him what he should have said. I forbear all comment, upon this conduct, as it relates to the present chief magistrate. I ask you, Sir, and I intreat every member of this senate to ask himself, what is its tendency as it relates to our country ? The constitution of the United States makes it one of the president's most solemn duties to communicate to congress correct information relating to the state of our publick affairs. In every possible case of disputes and controversies of right between the United States and *any* foreign nation, the minister of that nation must have an interest, and the strongest interest to give a gloss and colouring to the objects in litigation, opposite to the interest of our country. If, whenever the president of the United States, upon the high and solemn responsibility which weighs upon every act of his official duty, gives to

congress that account of our foreign relations, which is necessary to enable them to adapt their measures to the circumstances for the general welfare of the Union, if a foreign minister, under colour of his official privileges, is to contradict every part of his statements, to impeach the correctness of his facts, and to chide him even for his omissions, to what an abyss of abasement is the first magistrate of this Union to be degraded? The freedom which a Spanish minister, unreproved, can take to-day, a French minister would claim as a right to-morrow, and a British minister would exercise, without ceremony, the next day. A diplomatick censorship would be established over the supreme executive of this nation, and the president would not dare to exhibit to congress the statement of our national concerns, without previously submitting his message for approbation to a cabinet council of foreign ministers. Under the British constitution, the speeches of the sovereign to his parliament are all settled in his privy council, and the royal lips are understood to give utterance only to the words of the minister. The reason of this is, that by the forms of their constitution the sovereign himself is above all responsibility, and the minister is the person accountable to the nation for the substance of the discourse, delivered by his master. In their practice, therefore, the speech is made by him on whom the responsibility rests. But if this new assumption of the Spanish minister is submitted to, our practice will be an improvement on the British theory, of a singular cast indeed; for, while the responsibility will rest upon the president who delivers the message, its contents will be

dictated by persons, not only loosened from all responsibility to our country, but bound in allegiance, in zeal, in duty, to the very princes with whom we have to contend. The same control, which by this measure is attempted to be usurped over the acts of the president, will, at the next step, and by an easy transition, be extended to the legislature; and instead of parceling out the message among several committees for their consideration, we shall have to appoint committees upon every part of the message relating to any foreign power, to wait upon the minister of that power and inquire what it is the pleasure of his master that we should do.

That such is the inevitable tendency, and the real intention of this proceeding will appear, not only from a due consideration of the act itself, but from a proper estimate of its avowed motive, and from the subsequent conduct of the same minister. He addressed this letter to the secretary of state, not for the purpose of asking any explanation, not for the purpose of giving any satisfaction, not for any of the usual and proper purposes of a diplomatick communication, but, *as he himself declares*, for our government to publish, with a view to counteract the statements of the president's message. It was a challenge to the president, to enter the lists of a pamphleteering war against him, for the instruction of the American people, and the amusement of foreign courts; and, having failed in this laudable project, he addresses, after the expiration of forty days, a circular letter to the other foreign ministers residing in the United States, with copies of his letter to the secretary of state, as if these foreign ministers were the regular umpires

between him and our government. Not content however with this appeal, he authorizes them to give copies of his letters to ensure that publication with which our government had not gratified him ; and calls at once upon the American people, and upon the European courts, to decide between the *President* and *him*. Here too, Sir, I beg gentlemen to abstract the particular instance from the general principle of this transaction. The same act which, under one set of circumstances, can only excite contempt, under another becomes formidable in the extreme. Of the newspaper appeal to the people, I say nothing. The people of this country are not so dull of understanding, or so depraved in vice, as to credit the assertions of a foreigner, bound by no tie of duty to them, the creature and agent of their adversary, in contradiction to those of their own officer, answerable to them for his every word, and stationed at the post of their highest confidence. But the circular to the other foreign ministers, is a species of appeal hitherto unprecedented in the United States. And what is its object ? the *information* of their courts ; that the governments of France and Great-Britain may learn from him the *justice* and *generosity* of his master.

It is probable that both those nations, the ally and the enemy of Spain, have much better materials for estimating the justice and generosity of his Catholic majesty ; but what have they to do in the case ? By an anonymous newspaper publication, the idiom of which discovers its origin, a precedent is alledged in justification of this extraordinary step, and the reciprocal communication of diplomatick memorials concerning the affairs of

Holland in the years 1786 and 1787, between the ministers of Great-Britain, France and Prussia, at the Hague, is gravely adduced as warranting this innovation of the Spanish minister here. The very reference to that time, place, and occasion would of itself be a sufficient indication of the intent at this time. In the years 1786 and 1787, the three powers I have just mentioned undertook, between them, not only to interfere in the internal government of Holland, but to regulate and control it according to a plan upon which they were endeavouring to agree. Their ministers therefore very naturally communicated to each other the memorials which they presented to the Dutch government. And what was the result ? Two of those three powers fixed between themselves the doom of Holland ; raised a tyrannical faction upon the ruins of that country's freedom, and marched the duke of Brunswick, at the head of thirty thousand men, into Amsterdam, to convince the Hollanders of the king of Prussia's *justice* and *generosity*.

This, Sir, is the precedent, called to our recollection for the purpose of reconciling us to the humiliation of our condition. We are patiently to behold a Spanish minister, insulting the President of the United States, dictating to him *his* construction of *our* constitution ; calling upon other foreign ministers to countenance his presumption, and entrenching himself behind the example of another nation, once made the victim of a like usurpation. The resemblance is but too strong, and will, I hope, not be forgotten by us. If the constitutional powers of a Dutch Stadholder were prescribed and moulded according to the pleasure,

and by the interference of foreign powers, as undoubtedly they were, let us remember the fact with a determination never to be so controlled ourselves. It is held up to us as example. Let us take it as warning.

The subsequent proceedings of the Spanish minister have been all in the same spirit with that, under which he presumed to call upon the president to enter the lists of altercation *with him*, before the people of this country. They manifest pretensions to which we ought not to submit; which we ought vigorously to resist. In his last letter to the secretary of state, he tells him, that he will receive no orders but from his own master. Now if this has any meaning, it must be to deny the United States the right of ordering him away; that is, one of the most indisputable rights of every sovereign power. When pretensions, so destitute of all foundation, are advanced, it becomes us immediately to shew our sense of them: not to resist them might be construed into acquiescence. It is a virtual dereliction of our rights not to defend them when they are assailed.

I am indeed fully sensible that the operation of the bill I have proposed, should it meet the sanction of congress, will not be retrospective: that to what has passed, no remedy which can now be provided will apply. But we may prevent in future occurrences of a like character, and of much more dangerous consequence. We may prevent the spreading of an evil, which threatens the dearest interests of the nation. We may prevent even the repetition of insults and injuries, which, but for the want of the regulations now proposed, in all probability never

would have been offered. In my own opinion, the necessity for some legislative provision upon this subject, will force itself upon this government with additional pressure from year to year, until it can no longer be resisted. If foreign ministers are to possess in the United States an unbounded independence of all the tribunals of justice, while the United States on their part are to be deprived of the ordinary means of self-defence, enjoyed and exercised by all other sovereigns to check the abuse of those formidable privileges, the course of events will, in my belief, at no very distant day, bring us into that unhappy dilemma, which will leave no other alternative than to infringe the laws of nations, or to sacrifice our constitution; to commit violent outrage upon the rights of others, or to make a dastardly surrender of our own.

Mr. President, I ask your forgiveness, and that of the senate for having trespassed so long on your and their indulgence. They have now before them the principles and the motives on which the bill was first introduced. It is for them to determine upon their justice and propriety. Should they think that my feelings or prejudices have exaggerated the evil for which I am sincerely seeking a remedy, or that the remedy itself is liable to insuperable objections, they will at once dismiss the subject from their deliberations. Should they on the other hand consider the principle of the bill as admissible, they will fashion its details at their pleasure. To their decision, whatever it may be, I shall cheerfully submit, with the full conviction that it will be dictated by a pure and enlightened regard to the honour and welfare of our country.